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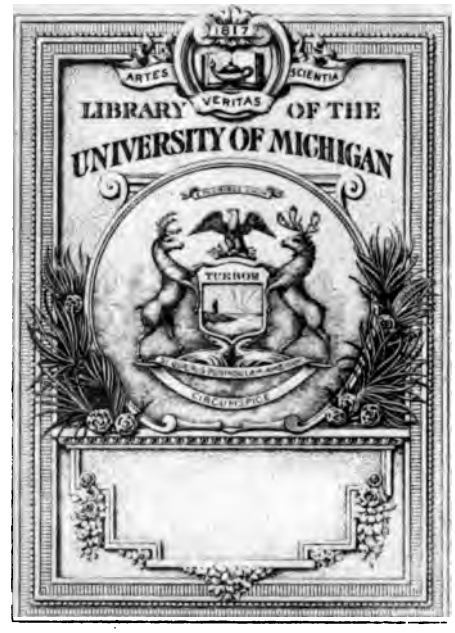
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PUBLICATIONS

OF

The Colonial Society of Massachusetts

TRANSACTIONS

1899, 1900

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*EDWARD GRIFFIN PORTER.
GEORGE LYMAN KITTREDGE.
ALBERT MATTHEWS.
HENRY HERBERT EDES.

George B. Lane.

F. GUTEKUNST, PHILA.

PUBLICATIONS

OF

The Colonial Society of Massachusetts

VOLUME VI.

TRANSACTIONS

1899, 1900

BOSTON
PUBLISHED BY THE SOCIETY
1904

PUBLICATIONS

OF

The Colonial Society of Massachusetts

VOLUME VI.

TRANSACTIONS

1899, 1900

BOSTON
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1904

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PREFACE.

THE Transactions at nine Stated Meetings of the Society are recorded in this book.

The papers and communications here presented cover a wide field. Among the more important are three by Mr. DAVIS, dealing with the Provincial Currency; Mr. FORD'S Colonial America; two of a topographical nature, and one on Joseph Boucher de Niverville, by Mr. MATTHEWS; and three by Mr. EDES, on the Places of Worship of the Sandemanians in Boston, Documents relative to the early history of Yale University, and Chief-Justice Martin Howard and his portrait by Copley. There are also papers on the Case of Maria in the Court of Assistants, 1681, and the Land Controversies in Maine, 1769–1772, and a file of Letters of Dr. James Martineau.

Tributes to the memory of HENRY PARKER QUINCY, SAMUEL JOHNSON, EDWARD GRIFFIN PORTER, and EDWARD JOHN PHELPS will be found in the following pages; and Memoirs of GEORGE MARTIN LANE, by William Watson Goodwin; of DANIEL DENISON SLADE, by Edward Wheelwright; and of JOSEPH HENRY ALLEN, by Charles Carroll Everett.

For the use of the portrait-plate of Jeremy Dummer, the Society is indebted to the courtesy of Messrs. Houghton, Mifflin and Company, and for the gift of the other nine plates to the generous interest of several of the members.

Three of the portraits have been engraved for the first time, by Mr. Elson, expressly for this volume, — those of John Colman, Joseph McKean, and Martin Howard, — at the charge of Mr. GAY, Mr. H. W. CUNNINGHAM, and Mr. LEVERETT, to whom the Committee expresses its grateful acknowledgments.

The Index has been made with great care, and no pains have been spared to make it full and accurate.

For the Committee,

JOHN NOBLE.

BOSTON, September, 1904.

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OF

The Colonial Society of Massachusetts.

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MEMBERS DECEASED.

Members who have died since the publication of the preceding volume of Transactions, with the Date of Death.

Resident.

William Cross Williamson, A.M.	13 June,	1903.
Samuel Wells, A.B.	3 October,	1903.
Henry Dwight Sedgwick, A.B.	26 December,	1903.

Corresponding.

Hon. Joseph Williamson, Litt.D.	4 December,	1902.
Hon. John Andrew Peters, LL.D.	2 April,	1904.

TRANSACTIONS

1899, 1900

TRANSACTIONS

OF

THE COLONIAL SOCIETY OF MASSACHUSETTS.

JANUARY MEETING, 1899.

A STATED MEETING of the Society was held in the Hall of the American Academy of Arts and Sciences on Wednesday, 18 January, 1899, at three o'clock in the afternoon, the First Vice-President, WILLIAM WATSON GOODWIN, D. C. L., in the chair.

After the minutes of the last Stated Meeting had been read and approved, the CORRESPONDING SECRETARY reported that he had received letters from Messrs. CHARLES KNOWLES BOLTON, ARTHUR THEODORE LYMAN, and JAMES LYMAN WHITNEY, accepting Resident Membership, and from Governor CHAMBERLAIN and Professor FRANKLIN BOWDITCH DEXTER, accepting Corresponding Membership.

Governor CHAMBERLAIN'S letter is as follows: —

BRUNSWICK, MAINE, December 26th, 1898.

JOHN NOBLE, Esq.
CORRESPONDING SECRETARY,
THE COLONIAL SOCIETY OF MASSACHUSETTS.

MY DEAR SIR, — I highly appreciate the honor of election as a Corresponding Member of The Colonial Society of Massachusetts, and hereby express my cordial acceptance of the same.

I trust I may sometimes be able to enjoy the privilege of meeting with the Society, and forming the closer acquaintance of gentlemen whom I already so highly esteem.

Very respectfully yours,
JOSHUA L. CHAMBERLAIN.

Mr. HENRY H. EDES then said: —

Mr. CHAIRMAN, — As Treasurer of the Society, I am going to take advantage of the absence of the President to tell the members of Mr. Wheelwright's recent gift to our treasury. He called on me on New Year's Day and handed me his check for one hundred dollars to be added to our General Fund. Mr. Wheelwright did the same thing on New Year's Day a year ago. On both occasions, — and on other occasions when he has contributed generously to our treasury, — he said that he wished our members generally would contribute to our Funds, from time to time, such sums, great or small, as they felt prompted to give toward increasing our permanent endowment, and not be deterred from so doing because they were unable or indisposed to contribute large amounts; and he expressed the hope that as time went on such gifts might come to our treasury. One such gift has already been received from Mr. Francis H. Lincoln, accompanied by a letter expressing his deep interest in the Society.

Mr. Wheelwright referred to the speech of Mr. Adams at our last Annual Dinner, and to his observations that a good financial basis was essential to the production of the best results, whether by societies or individuals; that this Society needed an Endowment of three hundred thousand dollars; and that he had no doubt that there was in our fellowship some man who, sooner or later, would realize that he could not raise a nobler or more enduring monument to himself, or more surely perpetuate his influence for good after his earthly career had ended, than by thus endowing The Colonial Society of Massachusetts. The President added that, while he, in common with all his associates in the Society, should hail with grateful appreciation the bestowal of such a munificent gift or bequest, he thought the Society would be stronger and its members more interested in its welfare and its work if they contributed to our General Fund, — the income only of which is available for the general purposes of the Society, — while awaiting patiently the coming of the Mæcenas to whom Mr. Adams had alluded.

Mr. ANDREW MCFARLAND DAVIS offered the following Resolutions, which were unanimously adopted: —

Resolved, That the thanks of the Society are hereby given to President Wheelwright for his generous contributions to the treasury.

Resolved, That the Society takes this occasion to place upon its Records an expression of its grateful appreciation of Mr. Wheelwright's devotion to every interest of the Society.

Mr. JOHN NOBLE communicated a Recognizance of Paul Blanchard of Cambridge, who was charged, in 1776, with fraudulently altering bills of the State of Massachusetts, and exhibited some of the altered bills found in Blanchard's possession. Mr. Noble said: —

The crime of counterfeiting or altering the bills issued by the State seems to have been not uncommon at the time of the offence of which I shall speak, since there are some twenty-five cases to be found in the single volume of the Records of the Superiour Court covering the time from 1775 to 1778. The Complaint, upon which this Recognizance was given, appears never to have come to trial, as it is not found in the Records.

The Recognizance is as follows: —

"State of Mass Bay Suffolk Ss Memorandum that on the nineteenth day of July in the year of the Lord 1776 Personally appeared before me Joseph Greenleaf Esqr one of the Justices assigned to keep the peace in and for the County of Suffolk Paul Blanchard of Camb^r in the County of Middlesex cordwainer Lemuel Blanchard of s^d Cambridge Innholder & Timothy Whiting of Bilerica in s^d County gentleman and acknowledged themselves to be severally indebted to Henry Gardner Esqr treasurer of s^d State in the respective sums following Viz^t the s^d Paul Blanchard as principal in the sum of two hundred pounds & the s^d Lemuel & Timothy in the sum of one hundred pounds each as sureties to be levied on their goods or chattels lands or tenements & in want thereof on their bodys respectively to the use of s^d State if default be made in performance of the condition underwritten.

The Condition of the above recognizance is such that if the above named Paul Blanchard shall personally appear before the next court of Judicature court of Assize & general gaol delivery to be holden at Braintree in & for the County of Suffolk on the last tuesday of August next to answer to such things as shall be objected to him on behalf of the people of this state more espescially by Moses White of Brookline in s^d County of Suffolk Yeoman for offering a bill of said State of two

shillings & eight pence fraudulently altered into twenty eight shillings to s^d^ White, & in the mean time shall be of the good behaviour to all the people of s^d^ State & shall do & receive that which s^d^ court shall then & there enjoyn on him & not depart without leave then the above recognizance to be void otherwise to to remain in full power & Virtue.

JOSEPH GREENLEAF"

[*Endorsed.*]

"Recogniz^e^ Paul Blanchard Sup^r^ Court Augt term 1776. the Complainant sick of small Pox."[1]

With this Recognizance were three Bills of Credit of the Massachusetts Bay Colony, one, dated 18 August, 1775, of seven shillings and six pence, and two, dated 7 December, 1775, of twenty-eight shillings, and three shillings and four pence, respectively, enclosed in a Certificate by Joseph Greenleaf, Justice of the Peace of Suffolk County, written on a fragment of a paper containing the Order of the Day in New York for 27 June, 1776, — Execution of Thomas Hickey.[2]

The three bills are about the size and shape of a common playing card.

The face of one of them reads: —

3/4 4917 3/4

Colony of the Maſſachuſetts Bay } Decem^r^ 7, 1775

The Poſſeſſor of this Bill ſhall be paid, by the Treaſurer of this Colony Three Shillings & four pence Lawfull Money by the 7 Day of Decem' 1781, which Bill ſhall be received for the aforeſaid ſum in all payments at the Treaſury, and in all other payments, by an Order of the General Aſſembly —

[Cut of a Ship and Building.]

Committee { J. WHEELER.

On the back of the bill is: —

The Denomination; the figure of a Continental soldier with drawn sword, above it, the legend, Issued in defence of American Liberty,

[1] Court Files Suffolk, vol. dcvii. no. 102,491.

[2] Suffolk Court Files, Cabinet Collection No. 19, taken from File No. 102,491.

and below it, the Motto of the State, — *Ense petit placidam sub libertate quietem;* and the date, — Decem^r 7th 1775.[1]

The other two bills are similar — varying in the amount. The alteration appears to have been clumsily made.

The strip of paper in which the bills were wrapped is the right-hand half of a page, — whether an original or a copy does not appear — containing the body of the Order of the Day above mentioned. The following is a line-for-line copy of the fragment: —

June 27, 1776
als Life Guard, having been
urt Martial whereof Col° Parsons
es of Sedition & mutiny, & also
e with the Enemy for the most
ses; is sentanced to suffer Death.

he sentance of the above Court
be hanged to morrow at 11 : O

off Duty belonging to General
's & General Scotts Brigades to
respective parades at 10 o Clock
march from thence to the Ground
Ld Sterling's Encampments, to
of the above sentance —
mmediately to make the
& to attend on that Duty"

This differs slightly from the entire Order as it appears in Force's Archives.[2]

[1] See Province Laws (Standard edition), v. 442–444, 664.

[2] The following is the Order of the Day of which the fragment in the text contains a portion: —

HEAD QUARTERS, NEW YORK, June 27, 1776.

1776.
(Parole. *Halifax.*) (Countersign, *Ireland.*)

. . . . .

After Orders. — *Thomas Hickey*, belonging to the General's Guard, having been convicted by a General Court-Martial, Whereof Colonel *Parsons* was the President, of the crimes of "sedition and mutiny, and also of holding a treacherous correspondence with the enemy, for the most horrid and detestable purposes," is sentenced to suffer death. The General approves the sentence, and orders that he be hanged to-morrow at eleven o'clock.

All the officers and men off duty belonging to General *Heath's*, *Spencer's*, Lord *Stirling's* and General *Scott's* Brigades, to be under arms on their respective parades, at

On the back of this fragment, used as a wrapper, is the following certificate: —

"The inclosed bills altered into
3 4 & 7 6 I found upon Paul
Blanchard the other altered
into 28 is the bill he offered
to pass. J. GREENLEAF *Justice peace.*
Sepr 7th 1776.
To SAM^L WINTHROP Esqr *Clerk*
of the Superiour Court."

It is a matter of curious speculation, and possibly of some interest, how this old fragment, whether it be an original or a copy, came into the hands of a civilian in New England so soon after its issue in New York, and how it came to a service so foreign to its original purpose.

Mr. ANDREW MCFARLAND DAVIS spoke as follows: —

At the January Meeting of this Society in 1898, I communicated a description of the career of the New London Society United for Trade and Commerce.[1] The account then submitted for your consideration was based almost exclusively upon the printed Records of the Colony of Connecticut, supplemented by certain facts gleaned from the publications of the Connecticut Historical Society. The communication was made solely for the purpose of showing the close identity of this attempt to supply the Colony of Connecticut with a circulating medium based upon private credit and secured by mortgages of lands, with the similar experiment made in the Province of the Massachusetts Bay, in 1740.

The references in the publications above referred to disclosed the fact that there must be in the Connecticut Archives papers

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ten o'clock to-morrow morning, to march from thence to the ground between General *Spencer's* and Lord *Stirling's* encampment, to attend the execution of the above sentence.

The Provost-Marshal immediately to make the necessary preparations, and to attend on that duty to-morrow.

After Orders. — Each of the Brigade-Majors to furnish the Provost-Marshal with twenty men from each Brigade, with good Arms and Bayonets, as a guard on the prisoner to and at the place of execution. (Force's American Archives, Fourth Series, vi. 1148.)

[1] See Publications of this Society, v. 96–111.

bearing upon this subject, which would furnish information additional to that given in the published Records of the Colony.

A short time since, I visited these Archives and found in them evidence that the Society had some sort of existence prior to the Petition for incorporation in 1732. This consisted in a Petition to the Assembly for incorporation in 1729. The review of the career of the Society heretofore communicated, which was made up from the published Records, gives the date of the birth of the Company as 1732. This obviously refers only to the organization effected under the charter granted that year by the Assembly. Miss Caulkins, in an account given in the History of New London, places the date of the organization at 1730, thus showing that she had knowledge that the Company was formed prior to the filing of the Petition for a charter in 1732.[1] It will be seen that the Society must have been in existence even before the date given by Miss Caulkins. The Petition filed in 1729, in addition to showing this fact, furnishes evidence of the desires and intentions of the founders of this Society not disclosed by any of the papers published in the Records of the Colony, and is therefore entitled to careful consideration. It is in the following words: —

"To the honourable the general assembly convened in New Haven, October 9, 1729.

The memorial of the New London Company for Trade humbly sheweth that whereas your honours most humble memorialists being united and formed into a Company for carrying on of trade or merchandize having agreed upon certain articles for a regular management of the same as may appear by our covenant agreed upon by us New London July first Anno Domini 1729, we do therefore humbly address this honourable Assembly for a patent for our said Company allowing us to be a Company in the manner and form of said covenant.

That our votes passed & officers chosen by our Company from time to time may be lawful and authoritative in the execution of the designs and to those ends for which they are voted and chosen so far as may be without infringing upon the authority of the government the interest of the publick or hurting the peculiar right or property of any person but only what may be necessary for our just and lawful defence and benefit in matters relating to the concerns and interests of our Company.

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[1] History of New London, by Frances Manwaring Caulkins (edition of 1852), pp. 242, 243.

That the Bills bonds bargains or any obligations whatsoever made or signed by our Committee at any time may be effectual and valid in the law upon the Companys account.

That our Company may be allowed to emitt Bills for currency upon our own credit as we may see occasion at any time for promoting or maint[ain]ing our trade.

That there may be the same rules prescribed in the law for prosecuting and punishing such persons as shall at any time presume to alter obliterate counterfeit or forge any bill in the name of our company or committee as is prescribed in the law for prosecuting and punishing those that shall presume to deface alter counterfeit or forge any bills on the credit of the Government." [1]

The foregoing Petition was signed by Solomon Coit in behalf of the Company. It was presented to the Lower House and was at first favorably received, but subsequently the action then taken was reconsidered and the Petition was rejected.

It will be remembered that in the previous account of this Society it is stated that the Petition filed in May, 1732, in which the subscribers prayed to be put in "a politic capacity as a Society," alleged that the purposes of the Society were —

"the promoting and carrying on trade and Commerce to Great Britain and his Majesty's islands and plantations in America, and to other of his Majesty's Dominions; and for the encouraging the Fishery *etc.*," [2]

no mention being made in the volume of the Records [3] from which this is quoted of any intention on the part of the petitioners to supply the Colony with a currency as a medium of trade. It may be surmised that the omission from the Second Petition, of those paragraphs in the First in which the desire of the petitioners to emit bills and have them protected from being counterfeited is set forth, was the reason why the Second Petition met with a more favorable reception at the hands of the Assembly than was granted to the First. If this be so, and if it be assumed that Governor Talcott had knowledge of the character of the First Petition and of the refusal of the Assembly to consider it, we can readily understand that he would have been incensed at the action of the Company in emitting bills, and his rapid and decisive action

[1] Connecticut Archives: Trade and Maritime Affairs, vol. i. no. 161.

[2] Publications of this Society, v. 98.

[3] Colonial Records of Connecticut, vii. 390.

in summoning a special session of the Assembly for the purpose of having the charter annulled will be fully explained.

Among the papers in the Archives is the Answer which the Company filed in response to the summons to appear before the Assembly. It is stated in the published Records[1] that the Company was at first disposed to dispute the jurisdiction of the General Assembly, but that this plea was waived and their defence was based upon the ground that the bills which had been issued were not of the nature and tenor of bills of the Colony, but were of the character of bills of exchange, which the Company had a natural right and authority to emit. Still another argument appears in this Answer which, it seems, had not assurance enough to show its head elsewhere in the proceedings. It was, that the Society which the Assembly had chartered was a fraternity and was not dissolvable. Indirectly, this argument may have suggested the setting forth of the distinction between a fraternity and a society, made by the Assembly in May, 1733, in their Answer to the Petition of the Society for a revival of the charter. In that document the Assembly say, in substance: The Governor and Company of Connecticut being a Corporation, it is doubtful if it can create a Company or Society of Merchants. A Corporation, however, might make a fraternity for the management of trades, arts, or mysteries, endowed with authority to regulate the management thereof.[2]

Beside the curious claim set forth in the Answer of the Company that a fraternity is not dissolvable, there are some statements as to the currency of the bills which seem to militate against the evidence furnished by Governor Talcott's correspondence which was quoted in the former paper. There is also in this document a proposition to turn over the mortgages of the Company to the Government, thus securing a quasi official endorsement of the Company for the future, provided the Company should be permitted to go on with its business. The language of the Answer bearing upon the currency of the bills is as follows: —

"Yet perceving that our bills have not y^t currency y^t we could wish and understanding y^t wise men take these three exceptions against them viz —

[1] Colonial Records of Connecticut, vii. 421.

[2] See Publications of this Society, v. 104.

"First ye face of ye bill will not give action to ye poss[ess]ors. 2dly That we make ye morgages to ourselves and hold our own fund. 3ly Y^t we may make bills ad infinitum."

They therefore pray leave to turn over the mortgages to the Governor and Company in trust, the same to be redeemable on payment in bills or in silver at 10s or in current currency at the expiration of twelve years, after which possessors were to have three years in which to bring in their bills. Further, it was proposed to set a limit of £50,000 to the amount of bills to be emitted.[1]

The Lower House voted to consider this Memorial, but its consideration was declined by the Upper House.

In my previous communication to the Society, I was unable to give any reason for the amount of public bills (£15,000) which was fixed upon by the Government, to be loaned upon security to the Committee of the Society to aid them in bringing the affairs of the Company to a close. A clue to this may possibly be obtained from the Petition for a revival of the Society, filed 15 February, 1732–3, in which the petitioners say: —

"In pursuance whereof we emitted about 14 or 15 thousand pound in bills on our creditt."[2]

There is nothing in the published Records of the Colony to indicate the character of the trade in which the Company was engaged. It was the evident design of the representatives of the Company in 1732 to convey the impression to the Assembly that they were strictly a commercial Company and that the emitting of bills was merely an incident of their various beneficial proceedings and not the main purpose of their existence. The several documents to which I have referred contain assertions upon this point which doubtless had some foundation in fact, even if we do not accept the inference as to the purposes of the Society which was evidently intended to be conveyed. A few quotations from these documents will indicate how the bills were applied in the development of trade.

In the Answer, it is stated that the bills were made use of —

"in supporting the government thereof as well as ye maintaining ourselves by reason of our selling everything at ye cheapest and buying at

[1] Connecticut Archives: Trade and Maritime Affairs, vol. i. nos. 168, 169.
[2] *Ibid.* vol. i. no. 167.

ye dearest rate, which came upon us by our trading with Boston, with our provisions, and to Newport with Lumber &c., and having no market amongst ourselves, were obliged to sell just at such prices as they would give, and often lose by it."

Again, in the Memorial which forms a part of the Answer, the Company declare: —

"[we] have given bills or notes on our own credit payable to ye possessors at a certain time and with them have bought provisions vessels staves boards and other manufactures for gaining ye trade afforesaid, and carrying on ye fishery, and not as sum suppose to lend to borrowers, it being contrary to our sincer designe."

In the Petition of the Company for a revival of their Charter, they say: —

"said summs we have disposed of for provisions and in building of ships &c."

The foregoing facts relative to this attempt at the creation of trade where, as was stated, there was no market, and the new light thrown upon the purposes of the Company by the Petition for incorporation in 1729, are of sufficient importance to be communicated to this Society as a supplement to the previous paper, which is already in type. After perusing these documents, it cannot be doubted that Governor Talcott, by pricking this bubble so abruptly, conferred a benefit upon all who were interested in the Company.

A long discussion followed the reading of this paper, in which Messrs. WILLIAM WATSON GOODWIN, HENRY WILLIAMS, ARTHUR T. LYMAN, ROBERT N. TOPPAN, and CHARLES A. SNOW participated, the powers of the Charter Governments to create corporations being specially considered by the two last-named gentlemen.

Mr. JOHN NOBLE communicated a group of documents relating to four suits of ejectment (1769–1772) pertaining to certain portions of a tract of twelve thousand acres of land in Bristol in the County of Lincoln, in the then District of

Maine, which was embraced in the Pemaquid Patent, and spoke as follows: —

What is now presented, hardly reaches the dignity of a communication. In the course of my work upon the Suffolk Court Files, the other day, while trying to bring into order some cases seemingly in hopeless confusion, I found some papers which seemed to offer certain points of intrinsic interest aside from the particular issues involved in the cases. They were suits in ejectment brought to try the title to lands held originally under the Pemaquid Patent.[1] The papers involve the history of a long period of years, and contain much information concerning the early settlement of the Province of Maine, or of that part of it which fell within the Pemaquid Patent. They bring out the conditions of life in the early times, the habits and occupations of the people, the hardships and vicissitudes of the first settlers, the harassing by the Indians, the social and political conditions then prevailing, and many a bit of private and personal history. They illustrate how much beside disputed rights may be wrapped up in the pleadings and proceedings of a law-suit. There is, too, a certain legal interest in them as showing forms and methods in vogue at a given time, and the stages in the development of legal and judicial practice.

There are more than two hundred and fifty papers, in all, originals and copies, some similar, some identical. There is the Patent; there are letters of instruction, deeds, wills, certificates of births, marriages and deaths, numerous depositions, and, of course, the pleadings, records, verdicts, bills of costs, *etc.* The Pemaquid Patent and a few of the papers are already in print;[2] the deeds

[1] Concerning the land controversies in Maine and their final settlement, see *ante*, v. 291 and *note*.

[2] The Pemaquid Patent will be found in 1 Collections Maine Historical Society, v. 207–214; Suffolk Deeds, iii. 52–56; and in J. Johnston's History of Bristol and Bremen, pp. 70–74; a part of the Letter of Instructions, in Johnston, pp. 97, 98; and some of the documents, — including the Patent which fills pp. 33–39, — in the Order of Both Branches of the Legislature of Massachusetts, to appoint Commissioners to investigate the causes of the difficulties in the County of Lincoln; and the Report of the Commissioners thereon, with the Documents, in support thereof. Boston, 1811, 8vo, pp. 174, — sometimes called the Lincoln Report. It has been thought best, however, to print here such

and wills are mostly on the appropriate records; the depositions are fresh from their slumber of a century and a quarter. For want of space and time only a very few of the papers can be used here, and these will be taken from the several cases indiscriminately, inasmuch as the papers were mixed at the trial of the suits together, and never restored to their respective cases, — a confusion explained in part by a memorandum among them signed by the Clerk, Nathaniel Hatch: —

"These papers are taken out of the cases, they were filed in, in order to be presented to the Court for their allowance."

The suits, four in number, were brought by Thomas Bodkin[1] of Boston, in the Inferiour Court of Common Pleas, in 1768, against four yeomen of Bristol, in the Province of Maine, and decided in favor of the Demandant. They were then carried by appeal to the Superiour Court of Judicature,[2] where the Appellants, the original defendants, prevailed. They relate to different portions of a tract

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papers as might be necessary to make the story clear, especially as the last named work is now of some rarity. This Report shows how the Pemaquid Proprietors (see pp. 52, 53, *post*) derived their title.

[1] Johnston, in his History of Bristol and Bremen, gives brief accounts of our four litigants, — Bailey, p. 277; Eliot, p. 333; Randall, p. 334; and Yates, pp. 290, 446. On a plan facing p. 1 can be seen the location of the houses of Bodkin, Bayley, and Yates; and the location of those of Eliot and of Randall may perhaps be made out. Bodkin's Deposition may be found in Order of both Branches, *etc.*, p. 127.

Johnston (p. 468) says that in 1767 and 1768 Thomas Bodkin brought actions against these four tenants; "what the result was is not known, but probably the trial never took place." Until 1797, under the Statutes, the legal depository for the Records of the Superiour Court of Judicature in all the Counties of Massachusetts, including the District of Maine, was in the Clerk's office in the County of Suffolk; thereafter the Records were kept in the respective counties. This fact being overlooked, it was in many quarters supposed that those earlier Records of Maine were missing, and a traditionary fire conveniently explained their loss.

[2] They are recorded in the Records of the Superiour Court of Judicature: —

1770, xxix. 136, James Bayley *v.* Thomas Bodkin,
1771, xxx. 117, John Randall *v.* Same
xxx. 120, James Yeates *v.* Same
xxx. 120, Simon Eliot *v.* Same.

The original papers are found in Suffolk Court Files, vols. dccccxci, dccccxcii, and dccccxciii, group-numbers 139,413; 139,429; 139,469; 139,495; 139,498; 139,532.

of 12,000 acres, in Bristol, in the County of Lincoln. Nicholas Davison and Richard Russell,[1] both of Charlestown, Massachusetts, were early proprietors of one half of it.

The following is the Record of one of the cases in the Inferiour Court of Common Pleas, and that of another in the Superiour Court of Judicature: —

I.

Lincoln ss. Anno Regni Regis Georgii Tertii, Magnæ Britanniæ, Franciæ et Hiberniæ, &c. nono —

At his Majesty's Inferior Court of common pleas held at Pownalborough, within and for the County of Lincoln on the last Tuesday of September being the 26th day of said Month, Annoq: Domini 1769 —

Thomas Bodkin of Boston in the County of Suffolk Chocolate Grinder, plt v: James Yeates of Bristol, in the County of Lincoln, Yeoman, Deft. in a plea of Ejectment wherein he demands against the said James the Possession of [[2] one] third Part of a [[2] certain] Tract of Land lying in said Bristol, the whole whereof contains about three thousand acres, and is bounded Southwesterly by Pan-cake hill, so called, Northeasterly by a place called Bare-Tree, adjoining to Land formerly of Richard Peirce deceased; Northwesterly by Pemaquid fresh River, so called, Southeasterly by a River or Brook over against Muscongus Island, including also the dry Pond Meadows thereto adjoining; which said third part of the Same Tract, together with the said dry pond Meadows, the said Thomas holds in common and undived with Nathaniel Little & Hezekiah

[1] Nicholas Davison and Richard Russell were among the most prominent and wealthy citizens of Charlestown, and Russell was the founder of the most distinguished family ever resident in the town. He arrived in 1640, and held high public office until his death, 14 (3) 1676, in his sixty-fifth year. Six members of this family, representing five generations, sat in the Executive Council of the Colony, Province and Commonwealth. For notices of him, of his English ancestry, and of his part ownership of the Pemaquid Patent, see Wyman's Genealogies and Estates of Charlestown, ii. 829; Heraldic Journal, iv. 32, 33, 102–109; Savage's Genealogical Dictionary of New England, iii. 593, 594; Waters's Genealogical Gleanings in England, i. 405, 406, 511, 512, ii. 1009; Appleton's Cyclopedia of American Biography, v. 354; Johnston's History of Bristol and Bremen, pp. 77, 78; Drake's Dictionary of American Biography, p. 789; and Pope's Pioneers of Massachusetts, pp. 395, 396.

Concerning Nicholas Davison, see *post*, pp. 37, 38, *note*.

[2] Interlined in the original.

Eggleston, Tenants in common of the other two third Parts thereof; and whereupon he saith, that on the Tenth day of October, A. D. 1739. in Time of peace, in the Reign of King George the Second, he was seized of the demanded premisses in his Demesne as of fee, taking the Explees thereof of the yearly value of Ten pounds by the year; yet the said James hath since, viz. within thirty years last past, entered into the same, ejected and disseized the said Thomas, and still unjustly holds him out of the same. To the damage of the said Thomas, as he saith, the Sum of two hundred pounds. This Case was commenced at September Term 1768, and continued to June Term last, for the Deft to notify & vouch in the Pemaquid Proprietors; and from thence was continued to this Term. And at this Term the said James, by David Sewall Esqr his Attorney, on the plt^s agreeing that he may waive this plea & give any other Answer to the Declaration aforesaid, at the Superior Court, for plea says, he never was requested to pay the Money, and thereof puts himself on the Country. And the said Thomas agreeing to said Liberty says the plea of the said James made in Manner and form aforesaid, is no legal answer to the plt^s Declaration aforesaid, and this he is ready to verify; wherefore he prays Judgment for possession of the premisses demanded & Costs. And the said James replys that his plea to issue aforesaid is good, and a legal answer to the Declaration afores^d, and because the said Thomas refuses to join the issue tender'd, prays Judgment for Costs. All which being fully heard and understood by the Court, they are of opinion that the Deft^s plea to issue afores^d is bad & no legal Answer to the plt^s Declaration aforesaid. It is therefore Considered by said Court that the plt recover against the Deft Possession of the premisses demanded and Costs. The Defen^t appealed from this Judgment to the next Sup^r Court of Judicature &c. to be holden at Falmouth, in the County of Cumberland, and for the Counties of Cumberland & Lincoln aforesaid, and entered into Recognizance, with Sureties as the Law directs, for prosecuting his Appeal with Effect.

A true Copy as appears of Record,
Examin'd by JON^A BOWMAN *Cler*

[*Endorsed*]
(2)
Judgment
Bodkin *v^s* Yeates
Copy [1]

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[1] Suffolk Court Files, No. 139,495 : 2.

II.

At his Majestys superiour Court of Judicature, Court of Assize, & General Goal Delivery, begun & held at Falmouth in the County of Cumberland for the Countys of Cumberland & Lincoln, on the tuesday next following the fourth tuesday of June (being the 2d day of July) Annoque Domini 1771.

John Randal of Bristol in the County of Lincoln yeoman appellant vs. Thomas Bodkin of Boston in the County of Suffolk Chocolate Grinder appellee, from the Judgment of an Inferiour Court of Common pleas held at Pownalborough in & for the County of Lincoln on the first tuesday of June A. D. 1769, when & where the appellee was Plt. and the appellant was Deft In a plea of Ejectment wherein he demands against the said John possession of one undivided third part of a certain tract of land lying in said Bristol the whole whereof Contains about three thousand acres & is bounded Southwesterly by Pancake Hill so called Northeasterly by a place called Bare tree adjoining to land formerly of Richard Peirce deceased Northwesterly by Pemaquid fresh river so called southeasterly by a River over against Muscongus Island including also one undivided third part of the dry pond meadows thereto adjoining whereupon he saith that in time of Peace in the Reign of King George the Second within thirty years last past he was seized of the demanded premises in his demesne as of fee taking the explees thereof to the yearly Value of ten pounds by the year yet the said John hath since Viz: within thirty years last past Enter'd into the same Ejected & disseized the said Thomas & still unjustly holds him out of the same To the Damage of the said Thomas as he saith the sum of two hundred pounds. At which said Inferiour Court Judgment was rendred that the Plt. recover against the Deft the lands sued for & Costs: This Appeal was brot' forward at the Superiour Court of Judicature Court of Assize & General Goal Delivery held at Falmouth in the County of Cumberland & for the Countys of Cumberland & Lincoln on the fourth tuesday of June A. D. 1769, & from thence sd Appeal was Continued from term to term unto this time by Consent The parties now appear'd & the Case after a full hearing was Committed to a Jury sworn according to Law to try the same who return'd their Verdict therein upon oath that is to say they find the said John not Guilty, It's Therefore Considered by the Court that the said John recover against the said Thomas costs taxed at £38 : 15 : 4.

Excon issd 8 June 1772

This Judgment is satisfied as appears by Drowne's receipt endorsed on the Execution on file.[1]

There are also copies of the Pemaquid Patent: —

The "Indenture made the Nine & Twentieth Day of February Anno Domini 1631, and in the Seventh year of the Reign of Our Sovereign Lord Charles, by the Grace of God King of England, *etc.* . . . Between the President, and Council of New England on the One Part, and Robert Aldworth,[2] and Gyles Elbridge[3] of the City of Bristol, Merchants on the other Part" sets out the "Letters Patent, and Royal Grant . . . bearing Date the third Day of November in the Eighteenth Year of His Reign" made by "our Sovereign Lord King James of famous Memory" "to the said President and Council and their Successors forever" of "All the Land of New England in America, lying, and being from Forty to Forty Eight Degrees of Northerly Latitude, and in Length by all that Breadth aforesaid from Sea to Sea." It grants to Aldworth and Elbridge in consideration that they "transport at their own Cost, and Charges, divers persons into New England, and thereto Erect and build a Town, and settle divers Inhabitants, for their own safety, better Assurance & Advancement of the General Plantation of that Country, and for the Furtherance of the said Plantation,

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[1] Records of the Superiour Court of Judicature, 1771, xxx. 117.

[2] For the will of Robert Aldworth, an Alderman of Bristol, England, and some facts concerning him, see Waters's Genealogical Gleanings in England, i. 632–637, 660, 734, 735; and Johnston's History of Bristol and Bremen, pp. 21, 57, 76, 85.

[3] Gyles Elbridge was a kinsman — Thornton says a nephew — of Robert Aldworth and a principal legatee under his will, proved in 1634. In 1650, Thomas Elbridge, a son of Gyles Elbridge, was sole owner of the Pemaquid Patent. On the first of February, 1651–52, Thomas Elbridge sold one half of it to Paul White (Suffolk Deeds, ii. 69–72) who, for £150 sterling, sold it, 27 April, 1653, to Richard Russell and Nicholas Davison (*Ibid.* ii. 68). Davison subsequently (14 April, 1657) bought of Elbridge, the other half of the Patent (*Ibid.* iii. 50; *cf.* pp. 46, 57–59), and of Richard Russell, the remaining quarter and two islands near Pemaquid, on the twenty-first of July, 1657 (*Ibid.* iii. 49, 50). Nicholas Davison thus became the sole owner of the Pemaquid Patent.

For Gyles Elbridge's will, and some notices of his English connections and of his ownership of the Pemaquid Patent, see Waters's Genealogical Gleanings in England, i. 633–636, 655, 735, ii. 1009; and Johnston's History of Bristol and Bremen, pp. 57, 70, 76, 78, 85, 95, 96.

Elbridge Gerry, Vice-President of the United States, traced his descent from Gyles Elbridge.

and Encouragement of the said Undertakers," "One hundred severall acres of Ground in New England for every person transported or to be transported, within the Space of seven years next ensuing, that shall abide and Continue there three years, either at one or severall Times, or die in the mean season, after he or they are shipped with an Intent there to Inhabit" with certain exclusive rights and privileges set out. It further grants over and above the one hundred acre allotments and adjoining them, twelve thousand acres, to be taken and laid out near the river Pemaquid, with certain Islands and Islets.

A rent is fixed at "One Fifth part of all the Gold and Silver oar, to be found or had in, and on the Premises, or any part thereof" to be paid the King and one fifth part to President and Council; and also to the latter a rent of two shillings "for every hundred acres of Arable Lands so obtained," "The first payment to begin after the Expiration of the first seven years next after the date." The right is given "freely to truck, Trade and Trafick in all lawfull Commodities, with the Salvages in any part of New England or Neighbouring thereabouts; at their Wills and Pleasures, without Lett or disturbance, as also to have Liberty to hunt, hawk, fish, or fowle, in any place or places, whatsoever, now, or hereafter by any English inhabited." It is covenanted "that their Tenants or servants shall not be taken from their own Employments by any Governour, or other there to be Established, but only for the publick Defence of those Countrys, or Suppression of Rebellions, Riots, or Routs or other unlawful Assemblys." It is also covenanted that "upon lawfull Survey to be had and made at the Charge of the said Undertakers and planters, and lawfull Information given of the bounds, meets and Quantity of the Land so as aforesaid to be by them Chosen and possessed . . . upon surrender of this present Grant and Inheritance, and upon Reasonable request . . . within seven years next coming," the President and Council will by deed "grant, enfeoff and Confirm all and every of the said Lands set out and bounded" to the two Bristol Merchants "and such as Contract with them," "in as large and beneficiall Manner," as they were granted in the Patent, and "at any Time within the said Term of seven years, upon request . . . Grant unto them . . . Letters and Grants of Incorporation, by some usuall fit name and Title, with Liberty to them and their successors from Time to Time to make orders, Laws, Ordinances, and Constructions, for the rule, Government, ordering & directing of all persons to be transported and settled upon the Lands," and in the meantime until such grant, that it shall be lawful for them "from Time to Time, to establish such Laws, & Ordinances as are for the better Government of the said persons so transported, and the same by such Officer or

Officers, as they shall by most Voices elect and Choose to put in Execution." Certain war-powers of considerable extent are given to be employed against "all such person or persons their Ships and Goods as without the Special Licence of the said President and Council and their Successors or the great part of them shall attempt to inhabit or trade with any of the Savage People of that Country, within the severall Precincts or Limits of their said Plantation; or shall enterprize or attempt at any Time hereafter Destruction Invasion or Annoyance to the s^d Plantation." — There is also a provision against any alienation of the premises to any "foreign Nations or to any Person or persons whatsoever without the Licence, Consent and Agreement of the said President and Council and their Successors and Assigns, except it be to their own Tenants," on pain of forfeiture; and a provision for the delivery of seizin and possession to the grantees in said Patent.

The instrument is executed by "R. Warwick" and "Ferd: Gorge.," and witnessed and sealed. There is a memorandum endorsed of the delivery of possession by Walter Neale, named in the instrument, to Abr^m Shurte, to the use of the grantees, dated 27th May A D 1633.

Taking the four cases together the several pleadings have been pretty fully preserved and show the procedure in such suits at that time under the Provincial government.

The plea[1] in one case (Bodkin *v.* Bayley) is as follows: —

And the said James comes and defends when & where &c. and as to Fifty acres part of the premises demanded bounding . . . he is not Guilty and thereof puts himself on the Country.

By David Sewall

And the Pl^t. likewise . . .

Theophilus Bradbury

And as to the residue of the Premises demanded in the declaration aforesaid the said James says the s^d. Thomas his Action aforesaid against him in form aforesaid ought not to have and maintain because the said James saith that at the Time of the purchase & Service of the writ afores^d. he had no right Title or Possession therein & this he is ready to verify. wherefore the s^d. James prays Judgment if the s^d.

[1] Inasmuch as, in the copy in the Early Suffolk Court Files, the copyist had run the tender of issues together in some confusion, — as appears at once on inspection, — it has seemed best, in printing, to follow the text of the original plea, still on file in the Court of Common Pleas in the County of Lincoln, Maine.

Thomas his Action aforesaid in form aforesaid for the said residue of the premises demanded shall any further have and maintain.

By DAVID SEWALL

And the said Thomas reply's that by any Thing above in pleading alleged he ought not to be precluded from having and maintaining his action of or in form aforesaid for the residue of the s^d^ demanded premises Because he says that at The Time of the purchase & service of the writ aforesaid the said James was in the actual possession of the s^d^ residue of the primises demanded and this the s^d^ Thomas prays may be Enquir'd of by the Country.

℣ DAVID WYER

And the s^d^ James likewise. . . .

DAVID SEWALL

The within is a true Copy
Examin'd by JON^A^ BOWMAN, *Cler.*[1]

That in Bodkin *v.* Randall is similar; that in Bodkin *v.* Yeates slightly different, in some respects; and in the remaining case the plea and the tendering of the issues appear on the back of the writ, after the officer's return, as follows: —

Lincoln ss. July 5th 1768. By virtue of this Writ I have attached a Table, being being all the Estate that I could find belonging to the within named Simon Eliot, and left a summons at his house agreable to Law.
Fees 7/8. THO^S^ BOYD *Deputy Sheriffe*

And the said Simon comes and defends when, where &c, and on the plt^s^ agreeing that he may waive this plea & give any other answer to the declaration afores^d^ at the Sup^r^ Court, says he has a good horse of the value of Ten pounds, and thereof puts himself on the Country.

D. SEWALL.

And the said Thomas agreeing to said Liberty, for Reply says, the said Simon's plea, pleaded in manner aforesaid, is no legal answer to the Declaration aforesaid, and this he is ready to verify; for want of proper answer in that Behalf he prays Judgment for Possession of the Premisses demanded & for Costs.

THEOPH^S^ BRADBURY

And the said Simon replys that his Plea to issue aforesaid is good, and

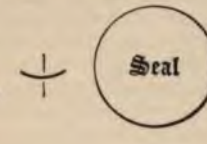
[1] Suffolk Court Files, No. 139,413: 3.

a legal answer to the declaration aforesaid, and because the said Thomas refuses to join the Issue afores^d^ he prays Judgment for his Costs.

THOMAS BODKIN by his Attorney JOSEPH HENSHAW.[1] — D. SEWALL.

There are numerous copies of deeds, in the long chain of title, mesne conveyances from the time of the original first grantees, running down for more than a hundred years. Among them is a copy of a deed or fragment thereof, executed by the famous Captain Somerset[2] in 1653, which, with the various endorsements thereon, runs as follows: —

The Condition of This Obligation is such that The within named Richard Fulfert may well and peaceably, have, hold Enjoy and possess from the date hereof to him & his Heirs and Assigns forever All and singular those Lands begining at the place called the passage Point and from thence alongst the shoar to the place called Heggomeito and so Two miles into the Country in Length which late were the Lands of Capt Summersetts and the said Capt Summersett hath granted by this Deed of Gift to the aforesaid Richard Fulfort made under his hand & Seal to possess it without any Molestation either of English or Indians. — — Sealed & Delivered in the presence of us in the Year of our Lord 1653 This first day of June.

The mark of CAP^T^ SOMERSETT 

Witness PHILLIP SWADDAN
THOMAS COLE
B The mark of JOHN BROWN
✝ The mark of John HAYMAN
RICHARD PEARSE.

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[1] Suffolk Court Files, No. 139,498: 1.

[2] The early visit of Samoset and his hospitable greeting has always been an interesting incident in the history of the Pilgrims, and with the various embellishments has played a conspicuous part therein. Its first mention is in Mourt's Relation. The passage, as it is given in full in Mr. Matthews's Note hereto appended, is now omitted; and the like course will be followed as to all references to Samoset, only such matters being here retained as are not there included. The Relation goes on to show that "Saturday in the morning we dismissed the Salvage," and that on Sunday he came again, and "Stayed with vs till Wednesday morning." It also gives a full description of him and of the

Octo. the 7th 1728 A True Copy of The Orig.l Exam.d

By Jos MOODY *Reg.r*

A True Copy from York County Records of Deeds &c Lib.o 12. Folio 323.

Att DAN.L MOULTON *Reg.r*

A true Copy Examin'd by JON.A BOWMAN *Cler*

Witness These Presents that I Richard Fulford do hereby give and make over unto Humphrey Horrell all my Right Interest and Title of This in Written Deed unto said Humphrey Horrell and his Heirs forever. As Witness my Hand the 21st of Octo.r 1667

RICHARD R FULFORD
his mark

Witness JOHN B Brown
his mark
ALEXANDER GOU[LD]

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entertainment given him. There is also an account of a third visit. Governor Bradford's narrative adds some interesting details.

"All this while ye Indians came Skulking about them, and would sometimes show them selves aloofe of, but when any aproached near them they would rune away. . . . But about ye 16. *of March* a certaine Indian came bouldly amongst them, and spoke to them in broken English, which they could well understand, but marvelled at it. At length they understood by discourse with him, that he was not of these parts, but belonged to ye Eastrene parts, wher some English-ships came to fhish, with whom he was aquainted, & could name sundrie of them by their names, amongst whom he gott his language. He became profitable to them in aquainting them with many things concerning ye State of ye cuntry in ye east-parts wher he lived, which was afterwards profitable unto them; as also of ye people hear, of their names, number & strength; of their situation & distance from this place, and who was cheefe amongst them. His name was *Samaset*" (History of Plimouth Plantation, 1856, p. 93).

"Christopher Levett's Voyage into New England begun in 1623 and ended in 1624," gives an account of his acquaintance with Samoset: —

"Came many savages with their wives and children. . . . Somerset, a sagamore, one that hath been found very faithful to the English, and hath saved the lives of many of our nation, some from starving, others from killing. . . . And Somerset told that his son (who was born whilst I was in the country, and whom he would needs have to name) and mine should be brothers and that there should be *mouchicke legamatch* (that is friendship) betwixt them, until Tanto carried them to his wigwam (that is until they died)" (1 Collections Maine Historical Society, ii. 87, 92, 93).

However little doubt there may be as to the identity of "Capt. John Somerset" and "Samoset," a question has been raised as to which was the earlier, or original, name. The *a priori* argument is strongly in favor of "Samoset." The historical argument leads almost irresistibly to the same

This Claim entered with the Eastern Claims at the request of Samuel Sturtevant Claimer for the Heirs of Humphry Horrell page 95

By SAMUEL PHIPPS *Clerk of the Com*[tee]

Octo[r] y[e] 7th 1728 A True Copy of the Orig[l] Exam[d]

p JOS: MOODY *Reg*[r]

This Assignment I apprehend was an Endorsem[t] on the Foregoing deed Tho' they were Seperate when this Came to my Hand.

JOS. MOODY *Reg*[r]

A True Copy from York County Records of Deeds &c Lib[o] 12. Fol[o] 323.

Attest DAN[L] MOULTON *Reg*[r]

A true Copy Examin'd by JON[A] BOWMAN *Cler*

[*Endorsed*]

Somersetts (6) Deed to
Fulford & Assignm[t]
to Horrell [1]

There is a Power of Attorney [2] from Habijah Savage, Esq., and other Proprietors of Pemaquid lands to Shem Drowne [3] in 1735,

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conclusion. The doubt raised by Mr. Drake seemed to have no sufficient ground for it, and his contention to lack any actual proof.

I am under great obligation to our associate, Mr. Albert Matthews, for his exhaustive and seemingly conclusive Note, appended to this Paper (pp. 59–70), in support of the opinion just expressed; and to our associate, Mr. Henry H. Edes, for many of the most valuable and interesting footnotes to this communication.

[1] Suffolk Court Files, No. 139,532: 17.

[2] Recorded with Suffolk Deeds, liii. 180.

[3] Shem Drowne, one of the largest and most active and influential of the Pemaquid Proprietors, though to a considerable extent a man of affairs and activity, and engaged in many important matters in the early days of Boston and Charlestown, is perhaps best and most popularly known as the artisan who made the Indian upon the old Province House and the Grasshopper on Faneuil Hall, and will owe his civic immortality to them. The Indian is now in the possession of the Massachusetts Historical Society, by the gift of Mrs. William Appleton. Its Proceedings for December, 1876 (xv. 178–180), in the remarks of Dr. George E. Ellis, contain an account of the gift and a description of the figure, — "the handiwork of Deacon Shem Drowne, who afterwards made the grasshopper on Faneuil Hall, after the pattern of that on the Royal Exchange, London." (See also Shurtleff's Topographical and Historical Description of Boston, pp. 597–599; Memorial History of Boston, ii. 90; and Hill's History of

and several conveyances thereafter from Drowne, "tin plate worker," "as well in his own behalf as Attorney to Habijah Savage, Esq.," and others, among them one to James Bailey in 1738. The deeds are full of names of places and designations of localities, some the original Indian names, especially in the case of islands and rivers, in curious vagaries of spelling but with phonetic similarity, and some the uncouth but significant appellations affixed by the early owners.

Among the papers is an original lease, made in 1742, curious in itself but more curious and suggestive in the chirography of the faded manuscript; and in the same year a somewhat unique bill of sale, likewise an original and a holograph: —

I.

Know all men by these presens that I heough Boyd of pemequed fermor doth bind and oblige myself under the penelty sum of one hundred pound Curant money of new ingland to thomas bodkin of marbel head bruer to deliver up to said bodkin stoke to the veleou of what stoke he delivers to me when I move off his farm Except what is dead or kiled by axedent and to deliver him up pesable posesion of said ferm at the end of the terme and to give him one half of all the ingles grain I rese Evrey year Except what I rese on old putatou ground or turnip yeards and to give him an half of all the incrise of the Catle and the yung Catle to be devided evry three years and to give him one half of all the buter and Chese yearly

sined seled in presens of us this nintenth day of march one thousand seven hundred and forty two 1742

JOHN M̊ KOWN HUGH BOYD[1]
ANN M̊ KNN

[1] Suffolk Court Files, No. 139,413: 10.

the Old South Church, i. 455.) Hawthorne, too, in his Legends of the Province House, has thrown a touch of romance about him and linked his name with the Royal Governors of the Province. Drowne's fame as an artisan, however, was not confined to Boston. In 1765, the old weather-cock on the steeple of the Deerfield Meeting-house was taken down to be repaired and regilded. The bird was then "furnished with 'new globe eyes' by Shem Drowne of Boston, and returned to his new perch where, until 1824, he kept watch and ward over the going and coming generations of men. He still fulfils the duty assigned him in 1729, on the spire" of the Meeting-house built in 1824, and still standing, — the Unitarian Church of to-day (Address of George Sheldon, at

II.

Round pon[d] March the 29th. 1742.

Know all men by thes presenss these that I John Morrell of a places called Round pon in the countey of York in the provenes of the masschuesetts bay in new england do for and in considderrason of A Sarten som of monny contaning one hundered pound to me in hand: pade by thoms bodken of maruel had bruer do: Sel to sad bodken my two oxen and two cows and all my husbandsarey tuls exsepting my worken tuls with all my ri an pasnaps & all my Right titel in Round pon excepte in Lums and gears and housel goods and Colt and now will put my good on bood if there baney boddy to tek them and give a Reset for them to deleuer them at mr tretherslys Shipreaue.

Witnes Presant JOHN MORRELL[1]
WILLIAM BURNS.

A rather full account of various settlements and the existing conditions at the dates specified appears in an —

Extract of a Letter of Instructions to (1) the Agent Dated Octor. 1717 ——

March 30th. 1629.

John Beuhump and Thomas Leverett have granted them by the Council of Plymouth all the Lands between Misconcus and Penobscott Rivers and Ten Leagues into the lands Febry. 29th. 1631. Robert Aldworth and Gyles Elbridge of Bristol are granted 12000 acres and all Islands within three Leagues and 100 acres to every passenger at or near Pemaquid — There are sundry other grants made by the Council of Plimouth to sundry persons, by vertue of these patents it was that the Country was settled: They also purchased their lands of the Indians and Recorded their deeds by Walter Phillips Recorder at Pemaquid, In the Generall in May 1671 it is left to Captn.

Deerfield, 28 July, 1901). Drowne was married 18 September, 1712, by the Rev. Benjamin Colman, to Katherine Clark, daughter of Timothy Clark (Boston Record Commissioners' Reports, xxviii. 39; and Suffolk Probate Files, No. 7017). His death is briefly told in the Diary of Thomas Newell, under date of 13 January, 1774: —

"Thursday, more moderate weather. Very good sledding; great plenty provisions and grain. Old Mr. Shem Drown, ob. Æ. 91; he was the first tin-plate worker that ever came to Boston, New England" (1 Proceedings of the Massachusetts Historical Society for October, 1877, xv. 348).

[1] Suffolk Court Files, No. 139,413: 11.

Thomas Clark to lay out the east line of the Massachusetts Colony, The return was made 15th May 1672. by Mr George Mountjoy. That line to be in about 1 3/4 mile above new damariscove in Casco bay and a little above Capt. Paddishalls in Kennebeck alias Sagadahock River, Cape Norwagan, Damariscove, Monhegan Montenicus, and Mountenick part of Pemaquid and most of St Georges Island and so run into the sea Boston March 7th 1673. —

Present John Leverett Gov.r Saml Simons Dep.t Gov.r Richard Russell, Thomas Danforth, Edward Tyng and Thomas Clark Esq.rs appointed Constables for Kennebeck, Cape Norwagan, Damariscove, & Pemaquid. —

March 1701

Capt Sylvanus Davis gives this Acct. of the severall english settlements that he hath known to be formerly at and to the Eastward of Kennebeck or Sagadahoc along the sea Coast to Montenicus sundry English fishing places some 70. & some 40 years since. —

At Sagadahock many Families & 10 Boats sometimes more.
At Cape Norwagan many Families & 15 boats —

At Hypocris Islands	2 Boats	
At Damaris Cove	15	Fishing Vessells
At two Bacon Gutt } Fishermen		
At Holmes Island } Fishermen		
At Pemaquid	5.	Fishing Vessells
At New harbour	6.	Fishing Vessells
At Monhegan near	20	Fishing Vessells
At St Georges. Fishers		Fishing Vessells
At Montenicus Island	20	Fishing Vessells
Farmers Eastward . . .		
At and Near Sagadahock		20
East side of Sagadahock to merry meeting . .		21
From Cape Nawagan to Pemaquid 6 farmers		
At Pemaquid		15
At New harbour		10
At St Georges West side mr Foxwell		1
At Saquid point 60 years agone		1
On the east side of Qisquamego,		1
Phillip Swaden fifty years agoe		St Georges
besides Fishermen 60 or 70 years		84 Families
84 within land		84 Families

Between Kennebeck and Georges River . .	12
At Sheepscot Town besides Farms	50
Between Sheepscott & Damarias Cotta River	10
At Damariscotta	7 or 8
Between Damariscotta Misconcus & Pemaquid and Roundpond	12—
	91 Families

Many more had begun to settle many taken lotts with intent speedily to settle but were disappointed By the Warr, besides the great Improvments, Houses Mills Stores, Maulting, building ships & Vessells, the Inhabitants daily increasing, Monhegan Island was sold by Mr. Innings[1] of Plimouth to Alderman Aldworth and Mr. Gyles Elbridge March Anno 1626, & improved ever since till the Warr, in 1688. Pemaquid 12000 Acres bounded from the head of Damariscotta river to the head of Misconcus River, thence to the sea with all Islands within three leagues, in the same grant 100 [[2] acres] to every passenger and 50 Acres to every person [[2] born] there within seven years amounts to about 80 persons granted by the Council of Plimouth to Alderman Aldworth and sd. Elbridge 1629 and possession given by their Attorney Capt. Walter Neale of 12000 Acres

from Sagadahock to Pemaquid is	6	Leagues
From Pemaquid to st. Georges River is	5	
From Pemaquid to Monhegan Island	4	

Leveretts Pattent is [[2] from] misconcus to Penobscott river 10 Leagues into the Land, a Copy taken from Commission, from the Governor and Council Book No. 5.

Memo. That the afore mentioned Silvanus Davis was by the Charter appointed first Counsellor for those Lands to the Eastward of Sagadahock & was a Dweller at and well acquainted with those parts.

Copy from the same Book

Examd. By J. Willard *Secry.*

A True Copy examin'd By Nat Hatch *Cler*

A true Copy Examin'd by Jona Bowman *Cler*

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[1] Abraham Jennings is here referred to. See *post*, p. 51.

[2] Interlined in the original.

[*Endorsed*]
Extract from the
Council Book
Copy
Bodkin *v*: Randal

[F]almº July 1771 Randall *v*:
Bodkin [1]

There is a very large number of depositions. Such papers have always a peculiar value and interest, inasmuch as, besides the main fact or facts testified to, they often contain so much collateral and incidental information, — graphic pictures of various happenings, glimpses of conditions of life and its surroundings, domestic details of little moment perhaps at the time but full of suggestion to the historian, snatches of family history, names and ages of persons, which genealogists may have long sought in vain, and all sorts of contributions, minute and authentic, made by contemporaries, to the knowledge of later generations. This is peculiarly the case where they were taken, not as in modern times by specific questions and answers, but rather in the form of affidavits, monologues written out in the handwriting of the deponent with all the idiosyncrasies of thought and expression to be expected under such circumstances, or set down by the magistrate as the unbroken narrative fell from the lips of the affiant. In a few instances here, questions seem to have been put at the close, where the testimony as given did not fully cover the points desired, and the attention of some aged or feeble witness had to be stimulated and directed. Most of the depositions in these cases were taken to be used directly at the trials, and mainly bearing upon the question of occupancy and possession at certain times, though there are some taken *in perpetuam memoriam*. Although all have much interest in one way or another, time and space will allow the use of only a few. Some of these present many points of historical value and interest.

I.

The Deposition of Patrick Rogers of Bristol in the County of Lincoln Gentleman Aged Sixty one years Testifieth and saith that he this Depo-

[1] Suffolk Court Files, No. 139,532: 27.

nent Lived in george Town in the County of York in the year Seventeen Hundred twenty or Twenty one at which time the Deponent says thare was not one House that he Knew off between Geord Town & Annopolis Royal (except one on Damariscove an Island to make Fish on, till the time S^t georges Fort was built when Col^o Thomas Westbrook was Commander of the Province Troops there — that the Deponent five or six years after the Date above was in the fishing Business and well acquainted with the harbours of Pemaquid, and others as far East as mount Desert about the year 1729 or Thirty the Deponent Knew one James Baily who lived at the South West part of a place called Round pond his house was Built near the Shore and Continued there about Nine or ten Years and Inclosed a field theireon and the Deponent at that time knew Capt. Thos Henderson who Lived on a point of Land to the Southward of Bailys house joining there and on the Notherly side of a Small Brook near to where Baily lived now Improved by John Randell, and About the Begining of the Spanish war the Said James Baily moved his family from Round pond to the westwaird & Returned Thare about four years ago and Built a house on his former Old Field near whare he formarly Dwelt. The Deponent never Knew of any place called Pancake hill till of Late years nor of a place at all Called Passage Point nor of Bear tree nor of a place called dry pond madow and that he never Knew of any parson Disturbing said Baily in his Possession. The Deponent knows Simon Eliot he lived at Round pond about twelve years last past & James Yats has lived at Round pond from year 1742 to this Day Except the time when he went to the Seige of Louisborg and Returned in a Boat About three or four years after the Deponent never Heard that the S^d Yats was Ever disturbed in his Possession till the year 1768 when one Thos Bodkin brought an Action of Ejectment against him for his Land Furthermore the Deponent Knows that about the year 1733 There was many Inhabitiants settled at that time near Pemaquid & about the year 1735 said Settlers settled under the Pemaquid Company to the number of forty famalys or more and hold Their Lands to this Day by their patent Right. The Distance Between Pemaquid fort and round pound is about Six or Seven milles north Easterly from Pemaquid The Inhabitants living thare levid under the Pemaquid patent right I with Alex^r Nickels Esqr was Chosen to Set the price of a Lott of Land there which James Yats purchased of Capt Arthur Savage about 300 ackers as I Remember & this Deponent Forther Saith that about the year 1736 or 1737 Mr Shim Drowne as agant to the pemaquid Properitors Imployd John North to take a Survay of S^d patint Claim & the Survay along the out Line of S^d Claim Some of them loged at my house one night & this Deponent forther Saith That many of the

Inhabitants with him Self meet With S^d^ Shim Drowne at Pemaquid Fort Some years before the S^d^ Survay when and thare the patent was Read on which The People was Jenerly Satisfied that the title was good and as Col^l^ Dunbar Sigenfied on his Removal that the Lands there Abotous was privat Porparty & that the King Removed S^d^ Dunbar for that rason the Inhabitants generaly took thare Lotts of Land under S^d^ Drowne as agant for Said Propritors Which was about forty or more famalies and this Deponant Forther Saith that he Purchased two Lotts of Land in Said Claim of two of the Settelers which Said Drowne Had Given Land to & many of the Inhabitants with my Self took a Lease of Said Drowne for the fresh meadows and that he never knew of any of the Inhabitents Said Drowne had settled being Disturbed by any Claimer whatsoever any where from Pemaquid to what is Now Called or known by the name of muscongus untill the year 1768 one Thos Bodkin Sued Sevral of the old Settlers at Round pond which have taken thare Lots under the Pemaquid Properitors Some by Leas & Some by purches as the Inhabatents thare told This Deponent forthar this Deponent saith that Round Pond is Frunting Estardly on a Large Bay this Deponent Saith that James Morton William Burns & many others Leving Some mills to the Northward of Round pond hold Their Lands. under the Said Pemaquid Properitors.

PATRECK RODGERS.

Lincoln ss. Bristol, deposition taken June 22, 1769. before ABR^M^. PREBLE *Justice of Peace.*[1]

II.

Gorge Caldwell of Bristol Aged about 72 years Testifieth & Saith that when Coll^o^ Dunbar removed from Pemaquid which was Generally Said to be By Ordrs from England Then Shem Drown of Boston Came Down to Pemaquid Fort & notified the inhabitants whome Coll^o^ Dunbar had Setled to Attend on which Said Drowne had a Patent for Those Lands (to Aldsworth & Elbridge) Read & Said that he Came down with a Power of Attorney from a Number of Other Propritors who with himself owned Said Lands and Said Drowne Gave Lands to many of The inhabitants of Walpole Harrington Pemaquid and round Pound and offerd the Same to all that he found there in Those parts James Bailey being one of them who Livs Now at Round Pond to whom the Said Drowne gave Land at Round pond Some of the inhabitants went away to Other Parts and to many of the inhabitants to whom the Said

[1] Suffolk Court Files, No. 139,413: 46.

Coll^{o} Dunbar Gave but forty Acres the Said Drowne for the further Encouragement of the Settlement, Gave Eighty Acres Furthermore this Deponent Saith that Capt. John North Run out the Said Patent many years ago for the Said Drowne from Oyster Creek at the head Damorscottey River so far as the Salt water flows round to the head of Muscongus River to medomock falls so far as the Salt water flows there, he the Said Drownd Being then Present This Deponent together with Alexander Arskins Capt William Loud Joseph Johnson and John Parbush was Ascisting Said North The Surveyor in Runing out the whole Tract nor was there any Person That Clamied any of Said Lands at that Time that This Deponent Saw or heard of and further Saith Not.

his
GORGS ⓪ COLDWELL
mark

Test:
WILLIAM FOSSETT, JUN^{R}.

Lincoln ss. Bristol, deposition taken 4 June 1770. before ALEX^{R}. NICKELS *Justice of Peace*[1]

III.

The Deposition of Alexander Erskine of Bristol in the County of Lincoln. Aged about forty Six years, Testifieth and Saith, that about Twenty two years ago, This Deponent who then Lived at Boston, came down, to Pemaquid with Shem Drowne of S^{d} Boston, who was then Agent, for the pemaquid Proprietors, with a Quantity of Stores, which this Deponent had the care off S^{d} Drowne then took his Lodgings at the Fort there, and by Boat Visited the Inhabitants with this Deponent, who the Said Drowne Hired to attend him, in Company with John North, Lie^{t} Rodger[s], George Callwell, Robert Paul, Nathaniel Bull Jun, John Furbush (To whom he allowed as Wages, Thirty Shillings (Old Tenor) p^{r} Day) from Madomock falls, Down Round Pemaquid point, and up Damaris Cotta River, up Near to Damaris Cotta falls & Settled there Eight or nine families, with farms, Some of which were New Comers Giving them an Hundred acres of Land Each, and Said he would take no man's Settlement from him, and Accomodated the old Inhabitants (with the Improved) Land, as far as that held out and Gave other Lands to all the Inhabitants that he found there Settled under Coll^{o} Dunbar, that Chose to Tarry. S^{d}. Farms being at this Day of Considerable value, Furthermore this Deponent well Remembers, that

[1] Suffolk Court Files, No. 139,413: 20.

the S^d^ Drowne, at the above time, Refused to take the Sum of One Thousand pounds (Old Tenor) for a piece of Land, adjoining pemaquid falls, Telling the person that offered it in this Deponents hearing, that the fishery there should be free for all the Inhabitants, and this Deponent Saith, that the Inhabitants were Generally Satisfied with S^d^ Drown's Right & Transactions, and further saith not.

his
ALEXANDER W ERSKIN[E]
Mark

Test
GEORG YEATES

Lincoln ss. Bristol June ye 14th 1770 [1]

IV.

Thomas Killpatrick of St Gorges aged about 70 years Testefieth & Saith that he formerly Lived at Harrington at or Near Pamaquid and well Remembers that then Shem Drowne of Boston Came Down to Pemaquid Fort as agent with a power of attorny From a number of Persons from Whome he Claimed all those Lands this was about Thirty five years ago on Coll^o^ Dumbars quitting his Settling these parts Said Drown Calling the Inhabitants together & by Reeding Publickly as Patient there of offerd the Inhabitints to Resettle them many of whome Did Stay and accept his offer but this Deponent With his Family Removed to St Gorges and that then this Deponent Never Knew Nor heard of any opposition That the Said Drowne met With in the Settlement of Said Lands

THO KILLPATRICK

Lincoln ss
St Georges June ye 2^d^ 1770 [2]

Some of these depositions bring out vividly the trials and tribulations of the early settlers.

V.

Mary Cowell "aged about 64 years," in her deposition taken in 1768, "testifies & says that about Fifty years ago she this Deponent lived at a place called Muscongus at the Eastward about seven or eight years . . . that in the summer season this Deponent with . . . and

[1] Suffolk Court Files, No. 139,498: 32. [2] *Ibid.* No. 139,498: 47.

their Familys used to go over to Monhegan Island for fear of the Indians and return back again in the Fall." . . .

John Pearce "aged about 74" tells how "about the year of our Lord 1722 the Indian War breaking out at the Eastward, this Deponent went with a Vessell and a Number of People to the Eastward and Brought from thence his Father Richard Peirce and Family from a place called Muscongus."

Many others refer to the Indian troubles. One is somewhat graphic and pathetic in its story: —

VI.

Naomi Annis of St Georges Aged about Sixty or Seventy Years according to the best of her Remembrance Testifieth and saith that about One Year after the three Year War So called with the Indians —— This Deponant with her late Husband Samuel Annis went to live at a Place called round Pond on Muscongue Bay in the County of Lincoln, and there they continued three Years and then moved off for Fear of the Indians to Monhegon Island. And moved off and on for the Space of One Year. And after two Years more the moved off to Monhegan Island. Again for about a Month for Fear of the Said Indians, and then Returned to said Round Pond and continued there for the Space of Three or four Years, and then moved to St Georges for Fear of the Indians for about the Space of Two Months. And then returned to round Pond, and there continued Three or Four Years, and then they moved off and returned there no more. The House that this Deponants Husband built and dwellt in, was to the North side of round Pond. This Deponant saith, her Memory has failed her for some Years past: And that the above is according to the best of her Remembrance, for that She would not say any Thing amiss. And further saith not.

Witteness	her
ABR^M PREBLE	NAOMI ∽ ANNIS
JULIUS HARTKEN	Mark

Lincoln Sc. Medunkook June 22^d 1769.

The above namd. Naomi Annis of St Georges in the County of Lincoln aforesaid being more than Thirty Miles distant from Falmouth in the County of Cumberland, the place where the Case is to be tryed, in which the above deposition is to be used. Personally appeared, and and after having been duly examin'd, and caution'd to Testify the whole Truth made Solemn Oath to the

Truth of the above written deposition by him Subscribd the adverse party namely Thomas Bodkin living at Boston more than twenty Miles from the place of Caption was not notified nor present, This deposition is taken to be used in an Action of Ejectment to be heard and try'd at the Superior Court of judicature to be holden at Falmouth in the County of Cumberland [[1] in the County] aforesaid. for the Countys of Cumberland & Lincoln on the fourth Tuesday of June instant — Wherein John Randall of Round pond in the Township of Bristol aforesaid is appellant and the said Thomas Bodkin is appelle, taken at the request of John Randall the appellant Before me

ABR^M PREBLE *Justice of ye Peace*

[*Endorsed*]

NAOMY ANNIS [2]

There is another deposition by the same person, bearing mainly upon the possession and occupancy of certain lands. Her testimony would seem to have been regarded as of great importance on these questions from the attacks made upon her credibility and competency in other depositions. This is somewhat offset by that of the magistrate. The attack seems to have been directed mainly against the latter deposition, and may not materially affect the historical value of the first, which contains so much likely to linger in the memory of age. At any rate her story seems worth giving: —

VII.

Naomi Annis aged about Eighty Years testifieth and saith that about the Year One Thousand seven hundred and fifteen, this deponent with her late Husband Samuel Annis late of a place called St Georges decc^d were sent by Samuel Martin to live at a place Called Round Pond in the Eastern part of this Province, That while this Deponent lived there, the Family of the Pierces lived at Muscongus, That this Deponent with her said Husband lived at Round Pond severall years till they were driven away by the Indians. That some short Time before this Deponent and her said Husband left Round Pond Mr Pierces Son Came with a Vessell and Carried away his Father and Family from Muscongus That the Lands at Round pond &c. was always reputed to belong to Francis Fulford and Samuel Martins Wife while she knew it, neither

[1] Cancelled in the original.

[2] Suffolk Court Files, No. 139,532: 28.

did she in that Time ever hear of any other Claimers to said Lands, & further saith not

her
NAOMI X ANNIS
mark

Lincoln ss. St. Georges, dep. taken 2 Sept. 1768, before DAVID FALES *Just^c Pacis.*[1]

Here is what Mrs. Annis's son-in-law has to say: —

VIII.

Zachariah Davis of a place Called Meduncook aged forty-two years Testifyeth and Saith that he well knows Mrs Naomi Annis of St Georges and he this deponent having Married ye Daughter of ye Afore s^d Annis about Eight Years Ago and Whose wife is Stil living & an Intimacy and harmony Subsisting between the deponants family & his mother in law, this Deponent is fully perswaded in his own mind by ye Acquiantance he hath with his Mother in Law that She ye s^d Naomi Annis is not At this present time nor has been for some years past Capable of Recollecting her Self, Owing to ye Great failure of her memory which Scarce Serves her for Two days To gether, And further Saith not.

Witteness
ABR^M. PREBLE
JULIUS HARTKEN

his
ZECHARIAH 6 DAVIS
mark

Lincoln ss. Meduncock, deposition taken June 21. 1769. before ABR^M PREBLE *Justice of ye Peace.*[2]

IX.

To the same effect is the deposition of John Brasher, — that she —

"has not been in a Capacity for these twelve years to recollect herself so as any Confidence may be placed in her Testimony or Relation;" and that of John McIntyer who "hath known her for Thirty years Past and allways Did look upon her to be so Ignorant as not to be Capable of giving Her Testamony or Taking an oath, & farder sayeth Not."

The same opinion appears incidentally in one or more others: —

X.

David Fales of Lawful Age Testifieth and Saith, That he being applied to as a Justice of the Peace to take Depositions of Naomi

[1] Suffolk Court Files, No. 139,413 : 17. [2] *Ibid.* No. 139,413 : 23.

Annis to be used in Sundry Causes wherein Thomas Bodkin is Plaintiff against James Yeates, James Bailey, John Randal and Simon Elliot severally in the Several Causes Defendants to be tried at the Inferiour Court of Common Pleas held at Pownalborough on the last Tuesday of September Anno Domini 1768. That some time in the said year 1768, This Deponent attended, that Service, and from the Conversation then had with, and a careful Examination of the said Naomi Annis, and from former Conversations and Examinations of the said Naomi upon the same Subject, I adjudged her to be of sufficient Capasity of Mind to give her Testimony in the said Causes. And further saith not.

DAVID FALES

Lincoln ss. Sept. 28, 1769 deposition taken before THO^s RICE *Just. ad pacem.*[1]

XI.

Hugh Boyd aged about sixty two years Testifies and says that about Twenty Six years ago he went to live at Round pond. That he took one of Thomas Bodkins Farms there at the halves, where he lived about three years and was then Oblig'd to Quit that place, and go into Pemaquid Fort, On Account of the Indian war breaking out, that about the Time he went to live at Round pond John Morrell & Nathaniel Bull lived there, Nathaniel Bull lived the next farm to the southward of this Deponents and Morrell lived at the Northerly Part of the Pond, about that Time s^d Morrell sold his Stock and Improvements to s^d. Bodkin and went off: That this Deponent does not remember that any body but s^d Bodkin claim'd the land at Round pond, While the Deponent Knew the place. This Deponent Further Testifies that The Farm in which he lived was Called the Old Farm and that said Bull and Morrell were the only people then living at round pond Except the Deponent & his Family, That This Deponent lived about Three years in Pemaquid Fort before he Came to the Westward, This Deponent further Testifies that s^d. Bull was an other of Bodkins Tenants, and was some years after Killed with a Number of Other people, by the Indians at Pemaquid Falls, and that the Deponent helped to bury the Bodies.

HUGH BOYD

Suffolk ss. Wrentham Aug. 6, 1768 deposition taken before EBENEZER FISHER, *Justice Peace.*[2]

Among the early settlers the interests of religion and education seem not to have been lost sight of: —

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[1] Suffolk Court Files, No. 139,413 : 25. [2] *Ibid.* No. 139,413 : 18.

XII.

"John Ulmer of a place called Broadbay," in 1770, testifies that seven years before some forty or forty-five families, largely Dutch, were "Confirmed in the settlements and Improvements by Deeds of Conveyance from the Pemaquid or Bristol Company for their several farms there, from near Maddmock falls, down to Broad Cove . . . A ministerial Lott, of one hundred acres, another hundred, for the Meeting house & Two Lotts for the School house, being granted to the Settlement, By the Said Company."

And Mathias Ramely of the same place and at the same time refers to the same grant, describing the Meeting house as "Built thereon," and specifies the amount of the two School allotments, — "about 30 or 40 acres in each Lott for the Benefit of two Schools."

Another paper of peculiar interest is a copy of the Will of Nicholas Davison, — "one of the chief men and Agent of Gov. Cradock,"[1] an early and one of the largest proprietors of Charlestown and the ancestor of many persons now well known in Boston. Its style and provisions indicate a man of considerable education, of strong character, foresight and judgment. It makes provision,

[1] Savage's Genealogical Dictionary of New England, ii. 24.

Nicholas Davison (*ante*, p. 14 and *note*) was admitted an inhabitant of Charlestown in 1639. In 1642, he was living at Medford, Massachusetts (Middlesex Deeds, iii. 116). In 1655, he went to Barbados, and returned, in the Speedwell, to Charlestown the following year. He had only the two children mentioned in his will (see *post*, p. 39, *note*). His sole ownership of the Pemaquid Patent and his title thereto have been already shown (*ante*, p. 17, *note*. See also, Johnston's History of Bristol and Bremen, p. 77). He also owned a valuable estate in Dock Square, Boston, at the easterly corner of Shrimpton's Lane, later known as Royal Exchange Lane and now as Exchange Street. His title to this property, however, does not clearly appear of record. It was a part of the original Possession of Robert Nash who, for £150, mortgaged it, with the dwelling house thereon, to Nicholas Davison, 1 (11) 1648 (Suffolk Deeds, i. 98). The mortgage was discharged 8 (10) (1649) (*Ibid.* i. 110). The next recorded evidence of Davison's ownership is in 1667 (after his decease), when the estate is mentioned, in abuttal, as land of Mrs. Jone Davison (*Ibid.* v. 360). It is similarly referred to in 1675, as belonging to the widow Davison or her children (*Ibid.* ix. 380). Daniel Davison, the only son of Nicholas Davison, for £226, conveyed one half of the estate to John Phillips of Charlestown, 14 April, 1682 (*Ibid.* xii. 200). The title to the other half was vested in the Honorable Joseph Lynde, who had married Sarah Davison. He, for love to his daughter Margaret, wife of Colonel Thomas Savage, conveyed his moiety to her, 28 February, 1705–6 (*Ibid.* xxii. 470).

in certain contingencies, for some of the earliest bequests to educational and charitable interests in New England. It also provides for the welfare of his only son in a judicious and somewhat unusual manner, and, in many ways, is an interesting instrument.

WILL OF NICHOLAS DAVISON.

Charlestown the 26th of March 1655.

In the name of God amen these presents are to testify and Declare to all whomsoever [1 that] it may Concern That I Nicholas Davison of Charlestown in New England Mariner, being now bound to sea in the Ship Tr[a]desincrease, Chris: Clark M: to the Island of Barbadoes, and from thence to England, Ireland, or to any other part or place, or hither to New-England again, The Lord (in whose hands all is) permitting me, and not knowing how the Lord in his all guiding wise providence, may dispose of me to Life or Death in these voyages & undertakings, in whose hands my Life & all I have is, and if it should be his

Thomas and Margaret Savage reconveyed to Joseph Lynde, 20 May, 1708 (*Ibid.* xxiv. 10), and he and John Phillips, for £1000, conveyed the whole lot to Thomas Savage on the following day (*Ibid.* xxiv. 10). Colonel Thomas Savage[1] died seized, 3 March, 1720–21 (Boston Town Records), after mortgaging the estate to Andrew Belcher and others, Trustees, 1 July, 1715, when it had a frontage of 34 feet on Dock Square and a depth of 121 feet on the Lane (Suffolk Deeds, xxix. 232. *Cf.* Province Laws, i. 750–752). The Inventory describes the property as "A Brick house, Land and Stable in Dock Square, Boston, £1400" (Suffolk Probate Files, No. 4403). The premises descended to Colonel Savage's two daughters, Margaret, wife of John Alford, and Elizabeth, wife of Joshua Winslow. Joshua and Elizabeth Winslow conveyed her share to Benjamin Alford, 1 March, 1725–26 (Suffolk Deeds, xlvii. 91), and he reconveyed it to Joshua Winslow in his own right, 20 January, 1732–33 (*Ibid.* xlvii. 91), so that the title was then vested in Margaret Alford and Joshua Winslow, in equal shares. In the Partition of Joshua Winslow's estate (Suffolk Probate Files, No. 14,559), his moiety of the Dock Square property was set off to his son Isaac Winslow, Junior (see *post*, p. 129). As an illustration of the rise in real estate values, it may be stated that this property was assessed, in 1899, as three estates, — $129,000 for the 3650 feet of land, and $13,500 for the brick buildings thereon, a total of $142,500.

For notices of Nicholas Davison and his family, see Wyman's Genealogies and Estates of Charlestown, i. 283, 284; Waters's Genealogical Gleanings in England, i. 636; and Pope's Pioneers of Massachusetts, p. 134.

[1] Cancelled in the original.

[1] The Editors of Sewall's Diary (iii. 284 n.) have confounded Colonel Savage with his cousin-german, Colonel Thomas Savage, son of Habijah and Hannah (Tyng) Savage, and grandson of Thomas Savage, the emigrant. *Cf. post*, p. 39, *note* 3.

good Pleasure to dispose of me, to Death of my Body I implore his grace out of his Infinite Mercy in Christ Jesus, to receive my soul into Glory with himself, and for my Temporall Estate This I declare to be my Will & Testament, That a True valuation be taken thereof by men appointed to prize the same, & that my Debts be in the first place paid out of the Estate so valued and the Remainder I Bequeath as followeth

One Third part thereof to my Loving Wife Joan Davison,[1] one Third part to my Son Daniel Davison,[2] and the Other Third part to my Daughter Sarah Davison,[3] and in Case that my said Wife should die

---

[1] Mrs. Davison married (2) Richard Kent of Newbury, 6 January, 1674–75 (who died 25 November, 1689), and died at Newbury, 30 October, 1699 (Newbury Town Records).

[2] Major Daniel Davison, of Charlestown and Newbury, was born at Charlestown, Massachusetts, 9 January, 1650–51; married Abigail Coffin, daughter of the Honorable Peter Coffin of Exeter, New Hampshire, 16 December, 1673; and died 18 January, 1717–18 (gravestone at Newbury). Of his eight children, Sarah married Colonel Stephen Dudley, great-grandson of Governor Thomas Dudley; Mary married Jacob Sheafe of Boston; Abigail, baptized 23 July, 1699, married Zachariah Fitch of Boston (see *post*, pp. 42, 43, *notes*); and Captain Nicholas, by wife Anne who died at Newbury, 6 July, 1731, in her 43d year (gravestone), had (i) Mary, who died in 1709, (ii) Elizabeth, baptized 15 October, 1710, who married Captain Robert Ball, at Charlestown, 26 June, 1728, (iii) Daniel, baptized 19 April, 1713, who married Margaret Ogleby, and (iv) Ann, born about 1715, who married John Goodwin. (Newbury Town Records; Newbury Church Records; and Wyman's Genealogies and Estates of Charlestown, i. 284.) There is a portrait of Elizabeth (Davison) Ball, by Blackburn, and one of her husband by Smibert, in the possession of our associate, Mr. Henry H. Edes, — one of their descendants in the fifth generation.

[3] Sarah Davison was born at Charlestown, 31 December, 1647, married the Honorable Joseph Lynde, 24 March, 1664–65, and died, of small pox, 13 December, 1678. Lynde subsequently married (2) Emma or Amy (Anderson) Brackenbury and (3) Mary (Luttrell) Winthrop, widow of the Honorable Adam Winthrop, and died 29 January, 1726–27 at the great age of about 90 years (The Boston Weekly News-Letter of Thursday, 2 February, 1726–27, No. 5, p. 2 /2). He was of the Committee of Safety, 1689, Representative, and a member of the Council. A considerable number of the Pemaquid Proprietors (see *post*, pp. 52, 53, *note*) derived their title through their descent from Joseph and Sarah Lynde, — especially through their daughter Sarah Lynde, born 5 December, 1666, who married (1) Thomas Clark and (2) Seth Sweetser; and their daughter Margaret Lynde, born 24 January, 1668–69, who married Colonel Thomas Savage, of Boston, son of Lieutenant-Colonel Thomas and Elizabeth (Scottow) Savage, and grandson of Thomas Savage, the emigrant, and became the mother of Elizabeth Savage, born 1 August, 1694, who married Joshua Winslow, and of Margaret Savage, born 10 September, 1698, who married the Honorable John Alford (see *post*, pp. 128, 129, *note*).

before this be of Force, Then my Will is that her Third part shall be given and Equally divided to my son and Daughter abovesaid, also my Will is that my abovesaid Wife shall have the keeping & disposing of my Clear Estate, and my Children while she Lives or till they Come of age, and that my Son be kept to School till he is Thirteen or Fourteen years of age & longer if then he requires it, if [[1] mean], means Can be had of what remains after my Debts are paid as above said, but if he will not follow his Study longer then Fourteen Years as above said then to bind him out an Apprentice seven years to some good honest Godly man of some good Trade as may seem best to my said son if Tractable and willing, or Else in Judgment of Those, that shall then have the Oversight of him, shall Think best and most Suitable for him, & in Case Either of my Children die before they Come of age, then the Other that survives to have the deceaseds part which it was to have had, if Lived, and if my Estate as abovesaid fall Either to my Son or Daughter, and that my said Son or Daughter, should die before they Come of age, (and in Case [[1] that] my Wife should be dead) then my will is that One Third part of my Estate be given to my Brother John Davison, Tho at present I know not where he is but if Cannot be heard off or dead, Then I give that third part unto my Sister in Law Mary Hodges, alias Anderson Wife to John Anderson,[2] and to my Nephews Em Rash, and Joan Rash to be equally divided between them and the rest of my Estate to be divided, the one half unto the Children of my Brother in Law John Anderson equally between them, and the other half to the Children of my Brother Jeremy Davison Deceased who was married and lived in Lynn in England, and if the Lord should so order it that it should (I mean my Estate) not (by reason of Death) be Enjoyed by my wife & Children but go to my next kindred as above exprest, then before it be divided amongst them, I desire and my Will is that one fourth part of the whole Clear Estate, be given to the Town of Charlestown aforesaid to be put out by the Townsmen then being, at an Annual Rent forever, For the Maintainance so far as it will reach more or less, of poor mens Children of the same Town, Especially Fatherless Children to School & I do By these presents Constitute & Appoint my Loving Wife aforesaid Joan Davison my True, Lawfull & Sole Executrix, and she to Nominate for her Assistance in the premises whom she pleases. In Witness of The Truth I have hereunto set my hand and Seal the Day and Year above-written, written with my own hand.

℣ me NICHOLAS DAVISON & a Seal.

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[1] Cancelled in the original.

[2] See Wyman's Genealogies and Estates of Charlestown, i. 20.

Signed Sealed and Delivered as my last will and Testament in the presence of us, *my* in the Margin of *Wife* in the same line was interlined before the signing and Sealing hereof,

JOHN MANNING
CHRIS^R. CLARK
JOHN DUDLEY

11 : 5.. 64.. Attested on Oath by John Dudley that he saw Mr Nicholas Davison now deces'd Sign and Seal this Instrument as his last will and Testament and that he Subscribed his Name as a Witness Thereto.

Before me FRANCIS WILLOUGHBY & THO^S. DANFORTH *Recorders*

A True Copy as of Record in the Registry of Probate for the County of Middlesex.—

Attest S. DANFORTH, *J. Prob.*

A true Copy Exam'd by JON^A. BOWMAN *Cler*

[*Endorsed*]
(20)
Nich^s. Davinson's Will
Copy [1]

An abstract of the Inventory of his Estate also appears in another place in the Suffolk Court Files: —

An Abstract from the Inventory of Mr Nicholas Davison late of Charlestown deceased as it was apprised the 2^d February 1664 by Capt Francis Norton Lt Randall Nicholls & James Russell Viz:

A Dwelling house, Warehouse, Wharff two small houses with the Ground Joyning to the s^d. houses in Charlestown & a Wood-lot at Mistick side at	£450:
Thirty Acres of Land in Henry Herberts hands which was formerly Major Gibbins & four Cow Comons belonging to it at	120:
Three Cow Comons more in Charlestown	15:

The aboves^d Inventory of the s^d. deced (whereof the foregoing is an Abstract as afores^d) was Entred & recorded 22-12-1665 — ℘ Thomas Danforth Record^r. And taken now from the 2^d Book pa: 221 —

℘ FRA: FOXCROFT JUN^R *Reg^r*

A true Copy Examd ℘ Samll Phipps Cler
A True Copy Examd ℘ Samuel Tyley Cler.[2]

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[1] Suffolk Court Files, No. 139,532: 21. The original will, wholly in the elegant handwriting of the testator, is still preserved in the Middlesex Probate Files, No. 4070.

[2] Suffolk Court Files, No. 713. The Inventory in the Middlesex Probate

Two or three depositions throw some light on the life and fortunes of Nicholas Davison and clear up some hitherto obscure points. They also reveal the important facts that he lived, died, and was buried at Pemaquid.

XIII.

Abigail Fitch of Boston in the County of Suffolk aged about Forty Years, Testifyeth and Saith, that she is the reputed Grand Daughter of Daniel Davison who is reputed to have been the Son of Nicholas Davison, wch said Nicholas is reputed among his Descendants to have lived & dyed at Pemmaquid now called Bristol in the County of Lincoln in the Eastern parts of this Province And this Deponent saith that some years past she was at said Pemmaquid and was then shewn by the Inhabitants said Nicholas Davisons Tomb or Grave there over which appeared to have been a monument raised by the Stones there fallen Down

Test BELCHER NOYES

her
ABIGAIL X FITCH[1]
Mark

Suffolk ss Boston June 19 1771

Then personally Appeared the above named Abigail Fitch living at Boston being more than thirty Miles from Falmouth in the County of Cumberland after being duly examined & cautioned made Solemn Oath to the Truth of the above written Declaration Subscribed by her, taken at the Request of John Randall of Bristol in the County of Lincoln Yeoman, & to be used in an Action of Ejectment, to be heard & tryed at the Superior Court of Judicature &c to be holden at said Falmouth, in & for

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Files (No. 4070) includes Real Estate in Boston, Charlestown, Pemaquid, and 2,100 acres at Windsor, Connecticut. Among the items of personal property enumerated are a hall clock, sword, rapier, cutlasses and pistols, fine linen, 139 ounces of plate, six ounces of silver buttons, cypress cabinet, eight pieces of gold therein, broadcloth, French and Spanish books, and two negroes, — Conungo and Maria. The amount the Inventory was £1869. 11. 11.

[1] Abigail Fitch was born in Boston 6 September, 1723, and was baptized at the Old South Church. She was a daughter of Zachariah and Abigail (Davison) Fitch. Her mother was a daughter of Major Daniel Davison of Charlestown and Newbury and granddaughter of Nicholas Davison. For her paternal ancestry, see New England Historical and Genealogical Register, 1901, lv, 288–293. See also *ante*, p. 39, *note*.

said Counties of Cumberland & Lincoln on the first Tuesday of July next; wherein the said John Randall is Appellant, and Thomas Bodkin of said Boston is Appellee, who was original plaintiff. The said Thomas Bodkin being duly notifyed and his Attorney Mr Joseph Henshaw was present at the time of Caption

Before me BELCHER NOYES *Justice o Peace* [1]

[*Endorsed*]
Abigail Fitch

XIV.

Elizabeth Gorrod of Boston in the County of Suffolk aged about thirty eight Years testifyeth & saith That she calls her Self (and is reputed to be) a Grand-Daughter to Daniel Davison who was reputed to be the Son of one Nicholas Davison who lived & Dyed as reputed in the Family descended from him at Pemmaquid (in the County of Lincoln) now called Bristol, and that he had an Interest there

Test BELCHER NOYES — ELIZ^A + GORROD [2] (her Mark)

Suffolk ss Boston June 19 1771

Then personally Appeared the above named Eliz^a Gorrod living at Boston being more than thirty Miles from Falm^o in the County of Cumberland, after being duly cautioned & examined made Solemn Oath to the Truth of the above written Declaration Subscribed by her, taken at the Request of John Randall, of Bristoll in the County of Lincoln Yeoman, to be used in an Action of Ejectment to be heard & tryed at the Superiour Court of Judicature &c to be holden at said Falmouth in & for the Counties of Cumberland & Lincoln on the first Tuesday of July next; wherein the said John Randall is

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[1] Suffolk Court Files, No. 139,532: 41.

[2] Elizabeth Gorrod was the youngest child of Zachariah and Abigail (Davison) Fitch. She was born in Boston, 31 January, 1731-32, and was baptized at the New South Church. Her Intention of Marriage with Samuel Gorrod was recorded in Boston, 13 October, 1757, and again in December, 1760 (Boston Record Commissioners' Reports, xxx. 26, 38). The record of her marriage has not been found. She was a sister of Abigail Fitch (see *ante*, p. 42, *note*).

Appellant & Thomas Bodkin of said Boston is Appellee, who was the original plantiff. The said Thomas Bodkin being duly Notified & his attorney Mr Joseph Henshaw was present at the time of Caption, Before me

Belcher Noyes Justice o' Peace[1]

[*Endorsed*]
Eliz Gorrood

XV.

Tobias Oakman aged about Seventy three Years, declares, and says; that He was born in Scarborough so called, in the Eastern parts of New England, and he lived there 'till drove away by the Indians, near Fifty Years ago; that before They were drove away as aforesaid, when a Youth, he used frequently to go afishing with his Father; and they frequently went into Pemaquid Harbor; That he very well remembers, that One Nicholas Davison lived there; and he was esteemed a Man of considerable Estate [[2] and was accounted one of the chief Proprietors] in that Part, and he has often heard that said Davison was buried there, and he has sundry Times seen the place that is called his Tomb: and that if he were at Pemaquid, he could show the Place where said Davison lived, and that it is on the Larboard Side going into said Pemequid River, and further saith not.

The Mark of
TOBIAS T OAKMAN

Suffolk sc. Boston February 16: 1737.

Tobias Oakman appeared, and made Oath to the Truth of the above Declaration by him subscribed (in perpetuam in Memoriam)

Coram H.HALL } *Just. Pacis*
ABIEL WALLEY } *Quorum Unus*[3]

[*Endorsed*]
Tobias Oakman's Deposition taken
in Perpetuam &c before H: Hall &c
February, 1737

Exd

[1] Suffolk Court Files, No. 139,532: 42.
[2] Interlined in the original.
[3] Suffolk Court Files, No. 139,498: 53.

Another will has some interest from its connection with certain well-known names and families. It is supplemented by details in a deposition by an aged woman giving the recollections of her girlhood: —

WILL OF DAVID ANDERSON.

In the Name of God Amen this Eight Day of January Anno Dom. 1700 and 12th Year of his Majestys Reign William the 3d king of England &c — I David Anderson[1] of Charlestown in the County of Middx Within his Mayties Province of the Massachusetts-Bay in New England Mercht being in good Health, and sound and perfect Memory, praised be God for the same, [2 &] knowing the uncertainty of This Life on Earth, more Especially being Now bound to sea, Do Make this my last will and Testament, in Manner and form following, that is to say, first [2 &] principally I Commend my Soul to Almighty God my Creator, hopeing that I Shall receive full pardon, and free Remission of all my Sins, & be Saved by the precious [2 Death &] Merits of my Blessed Savr & Redeemer Christ Jesus, and my Body to the Earth from Whence it was taken, to be Buried in a Decent and Christian Manner, and as touching Such Worldly Estate, as the Lord in Mercy hath Sent Me, My Will and Meaning is that all my Just Debts Which I owe in right or Conscience to any Person or Persons Whomsoever be paid and Satisfied by my Executrix hereafter Named in Convenient Time after my Decease, I do give and bequeath unto my Loving and beloved Wife Hannah Two third parts of all my Estate, both Real and Personal, in possession or Reversion after my Debts and Funeral Charges are Paid Unto her and her Heirs & assignes forever. Item, I do Give and Bequeath unto my Aunt Sarah Clarkes Children, and my Cousin Anderson Phillips, and Henry Phillips the other third part of all my Estate both real and Personal [3 Both] in possion or Reversion, after [2 my] Debts &c as aforesaid are paid, to them the Sd Children of my Aunt Sarah Clarke and Anderson [3 Phillips] & Henry Phillips, and their Heirs and Assigns forever, Each one an Equal part of Sd Third part of

Item)

[1] David Anderson was grandson of John Anderson, named in Nicholas Davison's will, *ante*, p. 40 (Wyman's Genealogies and Estates of Charlestown, i. 21).

[2] Interlined in the original. [3] Cancelled in the original.

my Estate, and I do Nominate, and Appoint my Dearly beloved Wife, Hannah Phillips to be the sole Execu^{x} of this my last will and Testament — In Witness Whereof I have hereunto set my hand and Seal, the Day and Year first above Written.

DAVID ANDERSON & a Seal.

SEAL.

Signed, Sealed and published by David Anderson to be his last Will and Testament before us upon further Consideration, I add as a part of My Will as followeth, My Will is that Cousen John Phillips have my bigest Tankard, and further my Will is, that if my Wife Hannah be with Child, & I have a Child by her, my Will is, and I do give all my Estate to my S^{d} Wife Hannah towards well bringing up my Child, but if the Child Dye, then the abovesaid Legacy to go as abovesaid

DAVID ANDERSON

JOHN CUTLER, EDWARD LARKIN, NATHANIEL DOWSE

A True Copy taken from the Registry of Probate for the County of Middlesex

Copy Exam^{d} ℘^{r} AND^{w} BORDMAN *Reg^{r}*

These may Certifie that on the 25th day of June 1701. The last Will & Testament of David Anderson aforementioned was Proved Approved & Allowed on By James Russell Esqr Judge of Probate for the County of Middlesex as appears by the Records in the Probate Office for said County.

Attest^{r} AND^{w} BORDMAN *Reg^{r}*

[*Endorsed*]
David Andersons Will
N° 10

David Anderson's Will —
— Copy — [1]

XVI.

I Faith Russell now living in Westown in the County of Middlesex & Province of the Massachusetts Bay in New England Widow, aged Eighty Years, Do hereby testify and declare, That Mr David Anderson formerly of Charlestown

[1] Suffolk Court Files, No. 139,532: 22.

Merch[t] marryed my Sister Hannah Phillips,[1] that the said David Anderson dyed in parts beyond Sea, & was a Gentleman of a good Estate in the Town of Boston & reputed a Proprietor of Lands at [[2] &] [[3] or] near Pemaquid in the Eastern parts of said Province; that the said David dyed without Issue by his Said Wife Hannah who was after his Death marryed to Habijah Savage Esq. and the Declarant [[3] knew] Thomas Savage Esq & Cap[t] Arthur Savage the Surviving Children of [[2] the] the said Habijah & Hannah Savage their other Children dyed leaving no Issue. The Declarant further says that said Thomas Savage Esq. their Son left four Children, namely John, Habijah Sarah & Ezekiel: and the Declarant also knew the said Cap[t] Arthur Savage their other Son, who is since dead and left a Widow named Rachell who is now married to James Noble Esq. and that the said Habijah & Hannah his Wife the Parents of the said Thomas & Arthur Savage dyed many years past. The Declarant also well knew [[2] Sarah] Lynde who was the reputed Daughter of Coll Joseph Lynde of Charlestown by [[2] Sarah,] his wife, who [[2] after his death] was marryed to Seth Sweetzer of said Charlestown who is since Dead; and that Seth Sweetzer now living in Charlestown is the reputed Son of the said [[2] Sarah] by her Husband Seth Sweetzer. And further That Joanna Phillips late of said Charlestown Widow deceased & Grandmother to Joanna Jenners (who intermarried with one Edward Carnes) was another reputed Daughter of Coll Joseph Lynde & [[2] Sarah] his wife aforenamed. And further saith not

NB. Habijah & Hannah Savage left three surviving Children, viz Hannah, Thomas and Arthur; Hannah died presently after her parents and left no Issue. —

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[1] Henry Phillips of Dedham, Boston and Charlestown, had a son Samuel Phillips, baptized 2 November, 1662, who was a stationer in Boston, married Hannah Gillam, and had by her, among others, Hannah Phillips, who married (1) David Anderson and (2) Habijah Savage; and Faith Phillips, the deponent, who married (1) Arthur Savage and (2) the Honorable Daniel Russell. Habijah and Arthur Savage were brothers of Colonel Thomas Savage (see *ante*, pp. 37, 38, 39, *notes*). Faith Russell died at Weston, 6 June, 1775, aged 84 years (Wyman's Genealogies and Estates of Charlestown, ii. 742, 743, 746, 831, 847, 848).

[2] Cancelled in the original. [3] Interlined in the original.

The Question was put to the Deponant, what was your Age when you first knew M^r. Anderson. Answer. About twelve years

2 How old was you when Mr Anderson died, Answ^r About thirteen

3 How do you know that the lands at the Eastward were reputed to be M^r. Anderson's? Ans^wer It was so reputed in my Father Phillip [s'] Family.

4 Was ye lands at ye Eastward, his, by his own Right, or by Right of of his Wife. Answer they were his before Marriage.

FAITH RUSSELL

Middlesex ss Westown June 25 1770

Then personally Appeared the within named Faith Russell living at Westown being more than thirty miles from Falmouth in the County of Cumberland after being duly examined & cautioned to testify the Truth made Solemn Oath to the Truth of the within written Declaration Subscribed by her taken at the Request of John Randall [[1] of Bristol in the County of Lincoln] the Appellant, & to be used in an Action of Ejectment to be heard & tryed at the Superiour Court of Judicature to be holden at Falmouth in & for the Counties of Cumberland & Lincoln on the Tuesday following the fourth Tuesday of June Current wherein the said John is Appelland and Thomas Bodkin of Boston in the County of Suffolk is Appellee. The said Thomas being duly notifyed of the time & place of Caption was present by his Attorney Mr Joseph Henshaw.

Before me SAMUEL LIVERMORE *Justice of Peace*

[*Endorsed*]

Faith Russell [2]

A deposition by the Register of Deeds of the County of Middlesex has been preserved which shows the manner of taking the acknowledgment of deeds by the Assistants in Colonial times. Upon some of the early deeds the signature alone appears without any designation of capacity, — as in 1653, before Increase Nowell, and in 1657, before Simon Willard. On one dated 3 January, 1700, the acknowledgment is signed by —

[1] Interlined in the original.

[2] Suffolk Court Files, No. 139,532 : 66.

One of his Majesty's Council and Justice of the Peace for the Province of the Massachusetts Bay in New England.

JOHN PHILLIPS.

One deed, in 1675, with no acknowledgment whatever, was proved, as to its execution, by the oath of a witness, in 1700. The text of the Register's deposition follows: —

XVII.

I, the Deponent Register of Deeds within and for the County of Middlesex do testify and say that upon Search made in the Registry of Deeds for said County I find The Acknowledgment of divers deeds to be taken before Richard Russell *Assistant* particularly in the years 1670 1671 and 1672, (The Caption of the acknowledgment of one of those deeds is dated the 16th of the 8th Month 1671.) besides various other Deeds the acknowledgment whereof was taken before other assistants. And I do not find that any Magistrate taking acknowledgments of Deeds in those years stiles himself Justice of the Peace but where he sets forth his Capacity or Qualification it is that of Assistant or Magistrate but most commonly the former —

JOHN FOXCROFT.

Province of the Massachusetts Bay Middlesex ss. } June 24. 1771 . . . . . to be made use of in an Action of Ejectment to be heard and tryed at the Superiour Court of Judicature, Court of Assize and General Gaol Delivery, to be holden at Falmouth in the County of Cumberland for the Counties of Cumberland and Lincoln on the Second day of July next wherein James Yates of Bristol in the County of Lincoln Husbandman is Appellant and Thomas Bodkin of Boston in the County of Suffolk is Appellee . . .

S. DANFORTH *Jus*s *Pac*s [1]

Abraham Shurt at the age of "Fourscore years or thereabouts," whose memory has been embalmed by Nathaniel Ingersoll Bowditch,[2] gives a deposition of interest: —

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[1] Suffolk Court Files, No. 139,469 : 2.

[2] Bowditch's Suffolk Surnames contains the following Dedication: —

To the Memory
of
A. SHURT,
"The Father of American Conveyancing"
whose name is associated alike
with
My Daily Toilet and my Daily Occupation.

XVIII.

The Deposition of Abraham Shurt, aged Fourscore years or thereabouts Saith that in the Year 1626, Alderman Alsworth, & Mr Gyles

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In the same work the author says: —

"Abraham Shurt, of Pemaquid (now Bristol, Me.), took an acknowledgment of an Indian deed in 1626, twenty years before any enactment on that subject, and is considered the 'Father of American Conveyancing'" (p. 101).

The appellation given him by Thornton, followed by Bowditch, seems not undeserved. The acknowledgment, now so firmly established as an essential part of every conveyance, appears to have owed its earliest use to him, and the form employed on that Indian deed of 1626 is practically identical with that in use to-day. The acknowledgment in question may be read in Johnston's History of Bristol and Bremen, p. 55.

In the New England Historical and Genealogical Register, 1871 (xxv. 131–137), Professor John Johnston has a long and interesting account of Shurt as filling an important place in early Maine history; and there is a further account in his History of Bristol and Bremen: "He became a resident of Pemaquid soon after his arrival in the country, and spent here the rest of his life" (p. 59. See also *Ibid.* pp. 56, 57). He is supposed to have come over about 1625. As to the date of his death, Johnston says there have been various guesses and mistakes, — Williamson, for instance, giving both years 1680 and 1690; but he thinks it more likely that it occurred soon after Shurt's visit to Boston in 1662. Johnston speaks of him as "a just and upright man, . . . a magistrate of influence in the colony, . . . an honest man and upright magistrate," — no slight praise. Much of the credit of his services between the savages and the colonists, however, he is inclined to think belongs to one John Earthy, and not to him, "excellent man as he was."

Hubbard gives the story of a retaliatory attack made by some hundred Eastern Indians in thirty canoes, upon Agawam, in the summer of 1631, and relates how they —

"slew seven men, and wounded John and James, two sagamores that lived about Boston, and carried others away captive, amongst whom one was the wife of the said James, which they sent again by the mediation of Mr Shurd of Pemaquid, that used to trade with them" (General History of New England, chap. xxv., in 2 Massachusetts Historical Collections, v. 145).

The same occurrence is noted in Prince's Annals of New England: —

"Sept. 17. Mr Shurt or Shurd of Pemaquid sends Home to Agawam, James Sagamore's Wife, who had been taken away [in] the Surprize at Agawam" (*Ibid.* 2, vii. 34 of the second pagination).

Another incident in which Shurt figured is given by Hubbard, chap. xxix.: —

"In June, in the year 1633, fell out a very remarkable accident upon some that belonged to Pemaquid. One Abraham Shurd . . . bound for Boston in a shallop, intend-

Elbridge of Bristol, Merchants, sent over this Deponent for their Agent, and gave Power to him to buy Monhegan, which then belonged to Mr Abraham Jennings of Plimouth, who they understood was willing to Sell it, and having Conference with his Agent, about the Price thereof, agreed for fifty Pounds, and the Pattent to be delivered up :: and gave him a Bill upon Alderman Alsworth; which Bill being presented, was paid as the Aforesaid wrote me—The Deponant further Said that about the Year 1629, was sent over unto him by the aforenamed Alderman Alsworth, and Mr Elbridge a Pattent granted by the Pattentees for twelve Thousand Acres of Land at Pemaquid, with all Islands, Islets adjacent, within three Leagues, and for the Delivery was appointed Capt Walter Neal; who gave me Possession thereof, and bounded the Twelve Thousand Acres for the Use abovenamed from the Head of the River of Damariscotta, to the Head of the River of Muscongus, and between it to the Sea Moreover [1 it] was granted by the Same Pattent; that every Servant, that they Alderman Alsworth, and Mr Elbridge did Send Over, One hundred Acres of Land; and to every One thereborn Fifty Acres of Land, for the Term of the first seven Years, and to be added to the former Twelve thousand Acres; Likwise this Deponent saith, that Damariscove was included and belonging to Pemaquid; It being an Island Scituate, and lying within three Leagues of Pemaquid point and Some Years afterm-

ing to turn into Pascataqua by the way, but just as they were entering into the river's mouth one of the seamen, going to light a pipe of tobacco, set fire on a barrel of powder, which tore the boat to pieces, laden with about £200 worth of commodities, which were all lost. That seaman that kindled the fire was never seen more, (though the rest were all saved) till afterwards the trunk of his body was found with his hands and his feet torn off, which was a remarkable judgment of God upon him; for one of his fellows wished him to forbear taking tobacco till they came ashore, which was hard by, to whom he replied, that if the devil should carry him away quick, he would take one pipe" (*Ibid.* 2, v. 195, 196).

The same is also more briefly told, but in much the same words, in Prince's Annals (*Ibid.* 2, vii. 62, 63 of the second pagination).

Hubbard (chap. liv.) has also another story of Shurt: —

"The same summer [1644], Mr Vines, agent for Sir Ferdinando Gorges, at Saco, Mr. Waunerton, that had some interest in the government of Pascataqua, and Mr. Shurt of Pemaquid, went to La Tour to call for some debts, &c. In their way they put in at Penobscot, and were there detained prisoners a few days, but were afterward (for Mr. Shurt's sake, to whom D'Aulney was in debt) dismissed" (*Ibid.* 2, vi. 484, 485).

Shurt was a legatee, to the amount of £200, under the will of Robert Aldworth of Bristol, England, who calls him his servant (Waters's Genealogical Gleanings in England, i. 735). See concerning Shurt, *Ibid.* i. 635, ii. 983; Suffolk Deeds, i. 131; York Deeds, i., Part I., 41; Savage's Genealogical Dictionary of New England, iv. 88; and Wyman's Genealogies and Estates of Charlestown, ii. 865.

[1] Interlined in the original.

Thomas Elbridge coming to Pemaquid, to whom the Pattent by Possession did belong and Appurtain called a Court unto which Divers of the [[1] then] Inhabitants of Monhegan, and Damariscove repaired, and Continued there fishing, paying a Certain Acknowledgement — And [[1] further] Saith [[1] not] Sworn 25th December 1662 by ABRAHAM SHURT — before me RICHARD RUSSELL *Magistrate*. Boston March 28 1744. Recorded in the Secretarys Office in the Book of Pattents Fol° 169.

J WILLARD *Secy* [2]

A true Copy of the orig^l Rece^d Oct. 28. 1744.

att^r DAN MOULTON *Reg^r*.

A true Copy from York County Records of Deeds &c Lib° 24. fol 256.

Att^r DAN^L MOULTON *Reg^r*.

In the Library of the American Antiquarian Society are two books of Records of the Pemaquid Proprietors, covering the period from 1743 to 1774.[3] They contain a great deal of interesting

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[1] Interlined in the original. [2] Suffolk Court Files, No. 139,498 : 61.

[3] The title-page of the first book is as follows: —

Pemaquid Proprietors
Book
of Records.
1743
N° I.

The first meeting was held "at ye Orange Tree Tavern in Boston upon Wednesday the Thirty first Day of August, 1743." The Records in this first book run from 31 August, 1743, to 9 June, 1768; while those in the second book extend from 16 June, 1768, to 24 November, 1774. Besides the entries given in the text, there are others not without interest in connection with them.

The following List of the original Proprietors (see *ante*, p. 13, *note*) is copied from the Records (i. 2): —

BOSTON, Tuesday November 15th 1743.

The Proprietors mett according to Adjournment and Settled Each Proprietor's Proportion in ye Afors^d Lands Agreeable to the Following List viz: —

Habijah Savage Esqr	30 Votes	
George Craddock Esqr	5	
Adam Winthrop Esqr	5	40
John Alford & Joshua Winslow Esq^rs	2½	
Sarah Sweetser	2½	
John Philips	2½	
Joanna Philips	2½	
Benj^a Stevens	2½	
Ezekiel Chever Esqr	2½	
Shem Drowne	15	30

matter relating to the Pemaquid settlement, including the following entries which directly concern the four ejectment suits: —

Thursday May 12th 1768.

The Proprietors met According to Adjournment

Voted | That Whereas Thomas Bodkin by Joseph Henshaw has Commenced Several Actions Viz against James Yeats, John Randall, James Bayley, And Simon Elliot, For Lands at Round pond that Said Actions Shall be defended at The Expence of This Company, to be Tried at Pownalborough Court on the First Tuesday of June Next

Voted | That This Meeting be Adjourned to Saturday next the Fourteenth Current 5. o'Clock P M to meet at the Same Place.

THOMAS DROWNE *Prop: Cler:*

Present —

Mr Seth Sweeter[1] (Moderator) For Himself Benjs Stevens, & Phillips's Heirs
Mr Stephen Minot
Majr James Noble
Mr John Savage For Himself, & Habijah Savage

Jonas Clark Esqr	2	
Samll Clark	2	
Thomas Ruck	1	
John Chandler Esqr	2	
Joseph Fitch	1	
Thimothy Parrott, Abigail Tillden, Christopher Tillden	1	
John Kneeland, guardian to his Daughter Prudence	1	
Anderson Philips	1	
Henry Philips	1	
Shem Drowne	8	20
		90

It is hoped that these valuable and interesting Records may be printed in the not distant future as a new volume of the Archæologia Americana.

[1] Seth Sweetser was a prominent citizen of Charlestown for more than half a century. He was born in that town 5 February, 1703-4, — the son of Seth Sweetser by his wife Sarah, daughter of the Honorable Joseph Lynde and the young widow of Thomas Clark; graduated at Harvard College in the Class of 1722 with President Clap of Yale College and Judge Richard Saltonstall; was the Schoolmaster of Charlestown 1724-1750, and its Town Clerk, 1755-1778;

Saturday May 14th 1768.

The Proprietors met According to Adjournment.

Voted | That Maj.r James Noble & Mr John Savage or either of them have Power to Act in behalf of the Company in Such matters & things, as they Shall Judge will be For the benefit of the Said Company, Either in the Law by Employing an Attorney or Attorneys in any Case or Cases, at Pownalborough Court in June next, Wherein the Said Company is Concerned, or by Enquiring into the Said Company's Affairs, respecting Their Lands at or near Pemaquid, or Bristol, & That The Charge They, or either of them, Shall be at in So doing, Shall be repaid by the Proprietors.

Voted | That Wm Cushing & David Sewall Esqrs are hereby Constituted and Appointed Our Lawfull Attorneys, in all Causes real, personal, or mixt, moved, or to be moved, for or against the Company, to Prosecute the Same, in Any Court, or Courts; to Final Judgment, & Execution, *Cum Facultate Substituendi* And that the Clerk of this Company is hereby directed to Forward to them an Attested Copy of This Vote Accordingly

Voted | That This meeting be Adjourned To Monday The Twenty Third Current, 5 o'Clock P M, to meet at the Same Place.

THOMAS DROWNE *Prop: Cler:*

Present —

Mr Seth Sweetser (Moderator) For Himself, Benj.a Stevens, & Phillips's heirs.
Mr Stephen Minot
Maj.r James Noble
Mr John Savage For Himself, & Habijah Savage
Thomas Drowne.[1]

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and during the Revolution served the town on important committees (Frothingham's History of Charlestown, pp. 272, 288, 300). There can be little, if any, doubt that to his vigilance and care we owe the preservation of the Vital and Town Records when the town was burned by the British during the Battle of Bunker Hill. He died, suddenly, 15 January, 1778. The Boston Gazette of Monday, 23 February, 1778, No. 1225, p. 3/2, 3 contains a long obituary notice. The Rev. Dr. Seth Sweetser of Worcester (H. C. 1827) was his great-grandson. (See Wyman's Genealogies and Estates of Charlestown, i. x, *note*, 217, ii. 922, 923; and Memorial History of Boston, ii. 320, 321.)

[1] Pemaquid Proprietors' Records, i. 87–89.

Thursday September 8th 1768.

The Proprietors met According to Adjournment.

1st.

Voted: That the Sum of twelve pounds be raised, and given to David Sewall Esqr as a Fee to him, As Attorney to This Company in all Causes Wherein the Said Company is Concerned; Which may be brought Forward at this September term, at Pownalborough Inferior Court, or Which may be There Continued to Next June Term.

2dly:

Voted That the Sum of twenty two pounds, ten Shillings, & 4½d be Raised to defray the Charges that may Arise on the Committee's going down to Pownalborough to Carry On the Aforesaid Suits Calculated as Follows —

Fees	2 =	8	=
Entry 6 Actions	3 =	12	=
Jury Money 6 Actions	8 =	=	
Stores - - - - - - - - - -	2	=	10½
Board &c. Pownalborough	4	=	=
3 Witnesses Travelling & Attendance - - - - - - - - -	2 :	9 :	6
	£ 22 :	10 :	4½

3dly

Voted: That Thomas Drowne, & Mr. John Savage be jointly & Severally impowered to Proceed to Pownalborough Inferior Court This September term, to Act there in their behalf in Any Actions Wherein the Said Company, Or Any of them Are Concerned.

4thly

Voted That this meeting be Adjourned to Thursday next, ye Fifteenth, Current, 2 o'Clock P. M; to meet at the Same Place.

THOMAS DROWNE *Prop: Cler:*

Present —

Mr. Seth Sweetser (Moderator' For himself, Benja. Stevens & Phillips's heirs.
Mr. Stephen Minot
Mr. John Savage, For himself & Habijah Savage
Majr James Noble
Thomas Drowne[1]

[1] Pemaquid Proprietors' Records, ii. 2, 3. There are also many other votes

Saturday April 22d: 1769.

The Proprietors met According to Adjournment.

Voted 1st That a Sum of Money be raised to Carry On the Law Suits of the Company now depending to final Issue.

2dly That the Sum of Fifty three Pounds Six Shillings & eight pence be immediately raised, for the Purpose aforesaid.

3dly That the Person or Persons that shall be Appointed & impowered to Transact the Companys Law Suits as Aforesaid, shall give the Treasurer a Receipt for the Money he or they may receive for the End aforesaid And that no Allowance shall be made for his Or their trouble, before the Accompt of disbustments & charges be Laid before the Proprietors for their Approbation.

4thly That Mr. John Savage the Collector demand of Each Proprietor his proportion to pay of the Aforesaid Sum of Fifty three pounds Six Shillings & eight pence According to What each persons right is, & that Mr. Stephen Minot give the Collector a List of the Proprietors, which he received from the Clerk, Wherein Each Ones proportion or Right is Settled in the Companys Book of records.

5thly. That This meeting be Adjourned to Saturday, the Sixth day of May next Ensuing; 3 o'Clock P. M., to meet at The Same Place.

the Clerk absent. SETH SWEETSER *Moderator.*
THOMAS DROWNE *Prop: Cler:*

Present —

Mr. Seth Sweetser (Moderator) For himself, Benjn Stevens, & Phillips's heirs.

Mr. Stephen Minot.

Mr. John Savage For himself, and the Other Heirs of Thomas Savage Esqr deceased.

James Noble Esqr.[1]

Saturday May 6th 1769.

The Proprietors met According to Adjournment.

Voted 1st: That Theophilus Bradbury Esqr Attorney at Law have given

from time to time providing for the oversight of the suits and appropriating money for expenses incurred. William Cushing and John Adams were of counsel for the Pemaquid or Bristol Company, as the Proprietors were called, during the decade ending with 1774 (Pemaquid Proprietors' Records, i. 44; ii. 12, 50, 57).

[1] *Ibid.* ii. 18.

him a Fee of Twelve dollars for past Service for the Company, & for the next Inferior Court to be holden at Pownalborough in June Next Ensuing.

dly. 2 That This meeting be Adjourned to Thursday the Eighteenth, Current 3 o'Clock P M, to meet at The Same Place.

THOMAS DROWNE *Prop: Cler:*

Present —

Mr. Seth Sweetser (Moderator) For himself Benj.ª Stevens, & Phillips's Heirs.
Mr. Stephen Minot
Mr. John Savage for himself, and the Other heirs of Thomas Savage Esq.ᵉ deceased.
James Noble Esq.ʳ
Thomas Drowne.[1]

Thursday May 18th : 1769.

The Proprietors met According to Adjournment.

Whereas This Company Voted on the Twenty Second day of April Last to raize the Sum of Fifty Three pounds Six Shillings & eight pence to Carry on the Law Suits now depending between the Propriety & Several Persons, and the Money Cannot be Collected timely for that purpose, therefore —

Voted st. 1: That the aforesaid Sum be borrowed on Interest, and that those Persons that give their Bond Shall be Secured by the Sale of Such Proprietors Land, as shall refuse, or neglect, to pay their proportion of the aforesaid Sum; As also what they are indebted for past Charges relating to Said Propriety, as Settled by the Propriety.

dly 2: That James Noble, Esq.ʳ: Thomas Drowne & Capt. James Cargill Or any Two of them be a Committee in behalf, & at the Charge of The Propriety to Carry On the Law Suits of The Propriety now depending at Pownalborough Court, in the County of Lincoln to Final Judgment and Execution; & to be paid for their Trouble in the manner Voted on the said Twenty Second day of April Last.

dly 3: That the Above Committee Act in the Aforesaid Law Suits, agreeable to the directions given them & Sign'd by the

[1] Pemaquid Proprietors' Records, ii. 13.

Moderator of the Propriety So Far as the method shall be approved of by said Company's Council in the Law.

thly 4: That the Collector Mr. John Savage, give notice to Such of the Proprietors as are Delinquents, That have not paid the Taxes due for Charges On Said Propriety; that unless they pay their respective ballance to the Collector within One Month From the date hereof; That Their Lands, Or So much of them, As will pay their Said Charges, be sold as soon as possible According to Law.

thly 5: That This Meeting be Adjourned to Tuesday next the Twenty Third Current, 5 o'Clock P M, to meet at the Same Place. The Clerk absent.

SETH SWEETSER, *Moderator.*
THOMAS DROWNE *Prop Cler:*

Present —

Mr. Seth Sweetser (Moderator) For himself, Benj^a Stevens, & Phillips's heirs.
Mr. Stephen Minot.
Mr. John Savage, For himself, & the Other heirs of Thomas Savage, Esqr deceased.
James Noble, Esqr
Capt. James Cargill.[1]

Tuesday June 26th 1770.

The Proprietors met According to Adjournment.

Voted st. 1: That Thomas Drowne Major James Noble & Mr. Habijah Savage Act as Agents for this Company in Carrying On the Law Suits at the Companys expence which are to be tried at the Superior Court at Falmouth to sit there the next Tuesday after the fourth tuesday of this Current.

dly 2 That the Agents aforesaid Shall not Carry on the s^d Actions, depending between Thomas Bodkin or his Attorney Joseph Henshaw, against James Bayley, John Randall, James Yeats & Simon Elliot in the Name of the Propriety, but in the name of the Persons mentioned in the Original Writts.[2]

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[1] Pemaquid Proprietors' Records, ii. 14, 15.

[2] *Ibid.* ii. 25.

Thursday, April 11th 1771.

The Proprietors met according to Adjournment.

Voted 1st: That Thomas Drowne the Clerk of this Company be hereby Impowerd at the Cost & Charge & in the Name of the Company to go down to Round Pond & to pass, deeds, To James Yeats, & John Randall, of the Lotts of Land on Which they Live at Round Pond; be the Quantity more or Less, As he the Said Drowne Shall Think fit, both the Value, & Bounds, as to the Said Randalls are Left intirely to The Said Drowne, And he to take Such Security of the Said Randall, as he Shall think Sufficient; Yeats's Land is to be Given him As pr. Former Verball Promise From this Propriety; Said Drowne being hereby Authorized to Affix the Common Seal of this Company to Said deeds.

2dly: That this meeting be Adjourned To Wednesday the Seventeenth Current, 3 o'clock P M. to meet at the Same place.

THOMAS DROWNE *Prop Cler:*

Present —

Mr. Seth Sweetser (Moderator) For himself, Benja. Stevens, & Phillips's heirs.
Mr. Stephen Minot
James Noble Esqr.
Mr. John Savage For himself & the Other Heirs of Thomas Savage Esqr. deceased.
Thomas Drowne.[1]

The Paper now presented, starting with the limited intention expressed at the outset, is of necessity desultory and disconnected. It has attempted merely to give a few glimpses of early history and to let that history be told by the actors in it.

NOTE ON THE INDIAN SAGAMORE SAMOSET.

By ALBERT MATTHEWS.

Our earliest, and for some years our only, knowledge of Samoset is derived from Mourt's Relation, printed in 1622, and now understood to have been written by Winslow and Bradford. According to these writers, it was on 16 March, 1620–21, that —

[1] Pemaquid Proprietors' Records, ii. 33.

"a *Savage*, . . . very boldly came all alone and along the houses straight to the Randevous, where we intercepted him, not suffering him to goe in, as vndoubtedly he would, out of his boldnesse, hee saluted vs in English, and bad vs well-come, for he had learned some broken English amongst the English men that came to fish at *Monchiggon*,[1] and knew by name the most of the Captaines, Commanders, & Masters, that vsually come."

This Indian, whose name is not recorded on that particular day, said that —

"he was not of these parts, but of *Morattiggon*,[1] and one of the *Sagamores* or *Lords* thereof, and had beene 8. moneths in these parts, it lying hence a dayes sayle with a great wind, and flue dayes by land."

Later, he is four times mentioned by name and each time is called Samoset (Mourt's Relation, 1622, pp. 32, 34, 35, 38, 39). The next mention of Samoset was in Capt. John Smith's General History of New England, which formed the sixth book of his Generall Historie of Virginia, New England, and the Summer Islands, published in 1624. Smith twice calls him by name and each time Samoset (Works, 1884, pp. 754, 755). In a passage which the context shows to have been written in 1645, Gov. Bradford said: "But about ye 16. *of March* a certaine Indian came bouldly amongst them, . . . His name was *Samaset*" (History of Plymouth Plantation, 4 Massachusetts Historical Collections, iii. 93). The Indian was called Samoset by N. Morton in 1669 (New England's Memorial, 1825, p. 53), by I. Mather in 1677 (Relation, 1864, pp. 69, 70), and by W. Hubbard in 1677 (History of the Indian Wars, 1865, ii. 81); and since the seventeenth century Samoset has been the usual form of the name. Of the writers quoted, Winslow and Bradford were the only two who had personal knowledge of the Indian, and it is significant that in 1622 we find them jointly calling him Samoset, while in 1645 Bradford calls him Samaset. Later writers about the Pilgrims merely follow Winslow and Bradford.

It has been shown that Samoset was not a native of the region where the Pilgrims landed, but came from the eastward. Four years after the Indian surprised the Pilgrims by addressing them in English, we find traces of an Indian sagamore in the neighborhood of Pemaquid called Capt. John Somerset. His name, spelled as above, first appears in a deed dated 15 July, 1625, and next in the acknowledgment of this deed taken 24 July, 1626 (Order of both Branches of the Legislature of Massachusetts, to appoint Commissioners to investigate the Causes of the Difficulties in the County of Lincoln: and the Report of the Commissioners thereon, with the Documents, in support thereof, Boston, 1811, pp. 106, 107). We next hear of this Somerset from Christopher Levett, who visited the Maine coast in 1623 and 1624, but whose Voyage into New England was not printed until 1628. Levett four times calls the Indian Somerset and twice Somersett (J. P. Baxter's Christopher Levett, of York, 1893, Publications of the Gorges Society, pp. 102, 103, 108, 111, 112). The name of "Capt. John Summerset a Sagamore Indian" occurs in a deed dated 9 January, 1641 (New England Historical and Genealogical Register, 1859, xiii. 365). In a deed dated 1 June, 1653, are the name and the mark of "Capt Summerset" and of "Capt Somersett" (*ante*, p. 21); and in a deed

[1] Supposed to be the present Monhegan.

dated July, 1653, occur the name and the mark of "Captaine Sommarset" (1 Collections Maine Historical Society, v. 188 *note*). In 1674 John Josselyn remarked that "Amongst the Eastern *Indians*, *Summersant* formerly was a famous *Sachem*" (Account of Two Voyages to New-England, p. 146). In depositions made 7 February, 1720–21, there are allusions to "John Summerset a Sagamore of ye Indians," to "John Summersett one of ye Sagamors of ye Indians," and to "John Summerset Sagamore" (Genealogical Advertiser, i. 96, 97). In a deed dated 22 August, 1729, occurs the name of "Capt. John Somerset" (J. Johnston's History of the Towns of Bristol and Bremen, 1873, p. 239). In a deed dated 10 September, 1734, the third John Brown said that his grandfather "stood seized of a Large Tract of land at and adjoining to s^d New Harbor by Purchase of Capt. John Summersett, &c, Indian Sachems" (*Ibid.* pp. 51, 52). In a deposition made 20 June, 1765, there is allusion to "the annexed deed of Captain John Somerset" of 15 July, 1625 (Order of both Branches, *etc.*, p. 108). In a letter written 2 August, 1796, William Fraser said that the first deed he found "was an Indian Deed from John Samoset [and] Unongoit, Indian Sagamores to John Brown" (New England Historical and Genealogical Register, 1871, xxv. 140).

The above appear to be the only references to Captain John Somerset which are known during the seventeenth and eighteenth centuries. That Samoset, the Indian who saluted the Pilgrims on 16 March, 1620–21, and Capt. John Somerset, the Indian Sagamore of Pemaquid, were one and the same person, is a view which has been held for over two centuries and three quarters, alike by casual writers and by learned historians. For nearly two hundred and fifty years, also, it was held without dissent that Samoset[1] was itself an Indian name, the presumption seeming to be that Somerset was a corruption of Samoset. In 1865, however, the late S. G. Drake, in a note to the passage from Hubbard's History of the Indian Wars referred to above, presented a different view, remarking that Samoset is —

> "Supposed by some to have derived his Name from *Somerset*, a Tract of Country in Maine so named by Sir Ferdinando Gorges; and that when *Samoset* appeared among the People at Plimouth, in attempting to make them understand that he had come from Sir Ferdinando's Colony of *Somerset*, they took his Pronunciation of the Name of that Place to be his own Name" (ii. 81 *note*).

Professor Johnston, commenting upon this passage in 1873, observed that Drake "supposes that this [Samoset] may not have been his real Indian name, but one given him by the English. His suggestion partakes too much of the fanciful" (History of Bristol and Bremen, p. 60 *note*). Neither Drake nor Professor Johnston offered proof in support of his position; and while, during the past fifty years, much has been written about Samoset and Somerset as the names of a person, the investigation now made of Somerset as a geographical name seems to be the first that has been attempted.[2]

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[1] For an interesting note on the possible derivation of Samoset, by the Rev. Dr. M. C. O'Brien of Bangor, Vicar-General of the Diocese of Portland, Maine, see the Genealogical Advertiser, ii. 30, 31.

[2] For a bibliography of Samoset, compiled by Mr. and Mrs. W. P. Greenlaw, see the Genealogical Advertiser, i. 100–102.

Early in 1635 the Council of the Plymouth Company decided to return its Charter into the hands of the King. But before doing so, an agreement was made on 3 February, 1634–35, "for ye severall divisions upon ye seacoals [seacoasts] of New England" (Records of the Council for New England, in Proceedings of the American Antiquarian Society for 24 April, 1867, p. 114). On "the 18th day of Aprill following Leases for 3000 years were made of the several divisions to severall psons intrusted for their benefitts" (*Ibid.* p. 118); on "the 22^d^ day of Aprill several deeds of feofment were made unto the several proprietors of their severall parts so to them allotted by the Divisions aforesaid" (*Ibid.* p. 118); on 25 April an Act for the Resignation of the Great Charter of New England was drawn up (*Ibid.* p. 123); on 26 April a Petition and Declaration were drawn up (*Ibid.* pp. 119, 120); and the Act of Surrender bears date of 7 June, 1635 (*Ibid.* p. 128 *note*, and Hazard's Historical Collections, i. 393, 394).

Sir Ferdinando Gorges at once took steps towards the government of that portion which fell to him in the division of 3 February, 1634–35; but it was not until 3 April, 1639, that he received a Charter from the King confirming the grant. In the division of 3 February, 1634–35, no name is given to the portion which became Gorges's; but in the Charter of 3 April, 1639, it was called the Province of Maine. Between 1636 and 1643, however, the name New Somerset or New Somersetshire was applied, both by Gorges and by others, to what later became known as Maine. The earliest use of such a designation appears to be in a letter written by Sir Ferdinando Gorges 11 August, 1636, which bears this endorsement: —

"To my beloued Nephew, Capt. William Gorges Gouvernor of New Somersett in New Ingland, or in his absence to Mr Richard Vynes, or Mr. Thomas Bradbury, or any of them, giue these" (Documentary History of the State of Maine, iii. 99).[1]

Other instances of the employment of these designations follow: —

"This Indenture made the twelth day of December, in the Twelth yeare of the Reigne of our soueraigne Lord Charles . . . between Sir Fardinando Gorges . . . & Arthure Champernoown . . . All wch P^r^misses now are, & hereafter shall bee demed, reputed, & taken to bee part Prcells, & Members of the prouince of New Summersett, in New England aforesd: . . . to bee houlden of the sd Sir ffardinando Gorges, and his heyres, Lord or Lords of the sd Prouince of New Summersett shyre" (York Deeds, iii. 97, 98).

"This Indenture made the twenty seauenth day of January, In ye Twelveth yeare of the Reigne of our Souereigne Lord Charles . . . betweene Sir Fardinando Gorges . . . of the One parte, & Geo: Cleeue of Cascoe, In the prouince of New Somersett, In New England in America Esqr, & Richard Tucker of Casco aforesd of the sd Prouince of New Sommersett of New England in America . . . All which p^r^misses now are & hereafter shall bee, demed, reputed, & taken to bee parts, pcells & Members, of the puince of New Sommersett Shyre, in new England aforesd: . . . to bee houlden of the sd Sir ffardinando Gorges & his heyres, Lord, or Lords of the sd Prouince of New Sommersett Shyre" (*Ibid.* i., Part I., 95).[2]

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[1] This letter is also printed in J. P. Baxter's Sir Ferdinando Gorges and his Province of Maine (Prince Society), iii. 276, where William Gorges is called "Gouvernor of Somersett;" but presumably the "New" has been inadvertently omitted.

[2] This is also printed in J. P. Baxter's George Cleeve of Casco Bay (Publications of the Gorges Society), pp. 216-221. As James I. died 8 April, 1625, the date of the document must be 27 January, 1636–37.

"1637. Mo. 4.] We had news of a commission granted in England to divers gentlemen here for the governing of New England, etc.; but instead thereof we received a commission from Sir Ferdinando Gorges to govern his province of New Sommersetshire, which is from Cape Elizabeth to Sagadahoc, and withal to oversee his servants and private affairs; which was observed as a matter of no good discretion, but passed in silence" (J. Winthrop, History of New England, i. *231).

"THIS INDENTURE, made the Third day of July, in the Thirteenth yeare of the Raigne of our Souraigne Lord, Charles, . . . Betweene Sir Ferdinando Gorges, . . . and Sir Richard Edgcombe, of Mount Edgcombe, in the Countie of Devon, . . . WITNESSETH, that the said Sir Ferdinando Gorges, . . . doth giue, graunt, . . . and confirme vnto the said Sir Richard Edgcombe and his h[eirs], ALL that parcell of Land, woods, and woodgrounds in Casco Bay, within the Territories of Newe England, be[ginning] att the point or entrance of the nex[t river u]nto Sagadehock, . . . scituate and being within the Province or reputed or intended province of Newe Somersett; Together alsoe with all that part, parcell, or porcon of land att or neare the Lake of Newe Somersett, which is conceiued to be Fourteen miles distant from the Shore of Casco Bay, by a Northerly Lyne into the Inland parts, which parcell of land is to contain there Eight thousand Acres, . . . AND . . . it shall and may be lawfull to and for the said Sir Richard Edgcombe, his heires and assignes, from time to time, and att any time hereafter dureing the space of seaven yeares next ensueing, to exchange all or any part of the said eight thousand acres of land graunted by the said Lake before specified, and to make choise of soe much other land in liewe thereof in any other place or part of Newe Somersett aforesaid" (1 Proceedings of the Massachusetts Historical Society, ii. 74–76).

"This Indenture made ye fourth day of May in ye fourteenth year of ye Reign of our Soveraign Lord Charles . . . Between Sr Ferdinando Gorges . . . And Edward Godfrey of Agamenticus of ye Province or reputed or intended Province of New Sumerset in New Engl^d in America Gent Oliver Godfrey of Seale in ye County of Kent Gent. And Richard Row of ye Citty of London . . . Witnesseth that ye s^d Sr Ferdinando Gorges . . . doth demise grant & to farm Let unto ye s^d Edwd Godfrey Oliver Godfrey & Richd Row all that part parcell portion or Tract of Land wood & woodgrounds in New England afores^d Lying & being within ye Province or reputed or Intended Province of New Sumerset" (York Deeds, viii. 120).

"This Indenture made the foureteenth day of June, in the foureteenth yeare of the Reigne of our Soueraigne Lord Charles, . . . between Sir ffardinando Gorges, . . . And Arthur Champernoowne . . . all which Premises now are, and hereafter shall bee, deemed reputed, & taken to bee parts, Parcells, and Members of the Prouince of New Sommersett, In New England aforesd, . . . to bee houlden of the sd Sir ffardinando Gorges & his heyres Lord or Lords of the sd Prouince of New Sommersett shyre" (*Ibid.* iii. 98, 99.)

"This Indenture made the Seven & twentieth day of June In ye fourteenth year of the reign of our Sovereign Lord Charles . . . Between Edward Godfrye of Agamenticus of the Province or reputed or intended Province of New Somerset in New England . . . And William Hook Citizen and Merchant of Bristoll and now of Agamenticus . . . Witnesseth that whereas S^r fferdinando Gorge . . . by his Indenture of Lease bearing date of ye fourth day of may Last past . . . did Demise grant and to farme Let unto ye s^d Edward Godfrye and to Oliver Godfrye . . . & to Richard Row . . . All that part parcell portion or Tract of Land . . . Lying and being within the Province or Reputed or Intended Province of New Somerset . . . Witnesseth now further this p'sent Indenture That the s^d Edward Godfrye . . . Doth demise grant bargaine sell and to farme let and set to ye said William Hook All that one full Third part" (*Ibid.* viii. 121).

"WHEREAS Richard Vines of Saco did on the last daye of June, Anno 1637, for and in the Name of Sir Ferdinando Gorges, Knight Gouernor of the province of New Som-

mersettshire, & by order of him, hath giuen & deliuered vnto *John Winter, for the vse of Robert Trelawnye* . . . lawfull possesion & seisin of two thousand Acres of Land, . . .

"We, vnder written, do now witnesse that on the 12th day of July, Anno 1638, the said John Winter did, . . . enter into & take possession of one Necke of land" (Documentary History of the State of Maine, iii. 131).[1]

"[1640.] This summer here arrived one Mr. Thomas Gorge, a young gentleman of the inns of court, a kinsman of Sir Ferdinando Gorge, and sent by him with commission for the government of his province of Somersetshire" (J. Winthrop, History of New England, ii. *9, *10).

"[17 April, 1643.] Know all men by these p'sents, that I Tho: Gorges Deputy Gou̅ of this province of Mayne, . . . doe giue, grant . . . unto mr Jo^n Wheelewright Pastor of the Church of Exeter, . . . a Tract of Land lijng at wells, in the County of Sō̅mersett, to be bounded as ffolloweth" (York Deeds, i., Part I., 28).

"[14 July, 1643.] Know yee that I Thomas Gorges Esqr Deputy Governo^r of the Province of Mayne . . . Doe give grant & Confirme vnto John Saunders of Wells in the Countye of Sō̅mersett One hundred and ffifty Acres of land scituate lying & being in Wells aforesaid being a necke of land lying betweene the little River & Cape porpus River" (*Ibid.* i., Part II., 12).

"Capt. *William Gorges*, Sir *Ferdinando Gorges* Nephew sent over [1635] Governour of the Province of *Main*, then called *new Sommersetshire*" (J. Josselyn, Account of Two Voyages to New-England, 1674, p. 256).

The name New Somerset is apparently not found in the seventeenth century except in the above extracts. Hence it appears that the designation of New Somerset or New Somersetshire is unknown before 1636, that it occurs with some frequency between 1636 and 1639, that from 1639 to 1643 it is found occasionally, and that after 1643 it disappears altogether.[2] It is obvious, therefore, that the view entertained by Drake is untenable, for the

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[1] The deed of 30 June, from Vines to Winter, is printed in facsimile in the same volume, facing p. 107; but it is mutilated.

[2] There seems to be some confusion in regard to the application of the name New Somerset during the second quarter of the seventeenth century. Sullivan said in 1795: —

"Cleaves . . . obtained a letter of agency from Sir Ferdinando Gorges, . . . In his deed to one Tuckerman [a mistake for Tucker], he calls Casco in the Province of New Sommersett. There was an early mistake in calling the Province of Maine New Sommersett, which was the county, not the provincial name of the territory" (History of the District of Maine, p. 315).

Commenting upon this passage in 1830, Folsom observed that "New Somerset was uniformly styled a province, not a county, in the instruments executed before 1640" (History of Saco and Biddeford, p. 53). This statement seems to be correct so far as it goes, but both titles occur in the documents quoted in this Note. Williamson remarks: —

"A division of the Province was in fact made [after the Charter of 3 April, 1639], by the river Kennebunk, into two *Districts*, or Counties, 'East and West.' No names appear to have been assigned to either by the Court, though the western district, or county, gradually acquired the name of *York*, and terms of an Inferior Court were appointed to be holden at Agamenticus, by a portion of the Council, three times in a year; and the other, being commonly called *Somerset*, or *New-Somerset*, had three terms of a like Inferior Court holden annually in the same manner within it at Saco" (History of the State of Maine, i. 285).

The statement made by W. S. Southgate in 1853, that "in 1639 the King confirmed Gorges' Patent, changing the name of the Province from New Somersetshire to Maine" (1 Collections Maine Historical Society, iii. 31), is misleading. Neither in the division of 3 February, 1634–35, nor in the Charter from the King of 3 April, 1639, does the title New Somersetshire occur; nor is that title employed by Sir Ferdinando Gorges in his Briefe Narration, written not later than 1647, or by his grandson, Ferdinando Gorges, in his Description of New-England (in America Painted to the Life, 1659).

simple reason that the name Somerset was not applied to any Colony in Maine at the time when Samoset presented himself to the Pilgrims. In addition, it may be pointed out that in the division of 3 February, 1634–35, the portion allotted to Gorges extended "from Pascataway harbours mouth afores[d] along y[e] sea coasts to Sagadahock, & up y[e] River therof to Kinebequi river, and throũ y[e] same unto y[e] head therof & into y[e] land N. Wwards, untill 60 miles be ended" (Proceedings of the American Antiquarian Society for 24 April, 1867, p. 117); and that in the Charter of 3 April, 1639, his patent stretched "from Pascataway harbor mouth aforesaid North Eastwards along the sea coast to Sagedehadocke, and vp the River thereof to Knybecky River; and through the same to the head thereof" (Hazard's Historical Collections, i. 442). As, therefore, the Kennebec River was the eastern boundary of Gorges's territory, and as Pemaquid lies to the east of the Kennebec, and so did not come within the bounds of Gorges's patent, we have another reason for regarding Drake's suggestion as an impossible one.

In the deed already referred to from Capt. John Somerset to John Brown[1] of New Harbor, dated 15 July, 1625, the tract conveyed to the latter is described as —

"beginning at Pemaquid Falls and so running a direct course to the head of New-Harbour, from thence to the south end of Muscongus Island, taking in the island, and so running five and twenty miles into the country north and by east, and thence eight miles north-west and by west, and then turning and running south and by west, to Pemaquid, where first begun" (Order of both Branches, *etc.*, pp. 106, 107).

It is thus seen that Muscongus Island originally belonged to Capt. John Somerset, and that it was included in the tract deeded by him to John Brown in 1625. It is curious that in his deed of 9 January, 1641, to Richard Pearce, the son-in-law of John Brown, a deed witnessed by Brown himself, Capt. John Somerset conveyed land at Round Pond which formed a part of the very tract which he had previously deeded to Brown in 1625. On 8 August, 1660, John Brown gave a deed of land in the neighborhood of what is now Broad Cove to his daughter and her husband, Margaret and Alexander Gould.

"TO all people to whom this deed of gift may come. Know ye, that I John Brown, of New-Harbour, have given to Sander Gould and Margaret, his now lawful wife, and to the heirs of her body, a certain tract or parcel of land, lying in the Broad Bay, beginning at a pine tree marked in the westermost branch of the bay, from thence north north east by Miscongus river eight miles, from thence eight miles north west and by west, from thence south south west eight miles, from thence south east and by east eight miles to the tree where first began" (Order of both Branches, *etc.*, pp. 121, 122).

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[1] How closely Somerset Island was associated with the Brown family is shown by some biographical details. John Brown of New Harbor, the first of the name, married Margaret Hayward and had (i) John Brown of Framingham, the second of the name, who married and had John Brown of Saco, the third of the name; (ii) Elizabeth Brown, who married Richard Pearce; and (iii) Margaret Brown, who married (1) Sander, or Alexander, Gould, and (2) Maurice Champney. Alexander and Margaret Gould had a daughter Margaret, who married (1) James Stilson, Sr., and (2) Thomas Pittman. James and Margaret Stilson had (i) James Stilson, Jr., and (ii) Margaret Stilson, who married William Hilton. It was at the request of James Stilson, Jr., and his sister Margaret Hilton that the deed of 15 July, 1625, was recorded 26 December, 1720; and it was at the request of Margaret Hilton that the deed of 8 August, 1660, was recorded 1 December, 1720.

It will be observed that there is no island mentioned in this deed, and a glance at the map seems to show that there is no island which could possibly come within the limits of this tract. It is stated by Professor Johnston, who, however, does not print the document, that Margaret Pittman, the widow of James Stilson and the daughter of Alexander Gould, on 20 December, 1720, "conveyed this tract, including also Muscongus island, to her children, James Stilson jr., and his sister Mrs. Wm. Hilton" (History of Bristol and Bremen, p. 471). Thus far only one island has been mentioned, and that Muscongus Island; but about 1686 we encounter an island called Somerset Island. Between 1683 and 1686 Gov. Dongan of New York granted to John Spragge —

"Liberty and Lycense to take up and Enjoye a Certaine Island Called and Knowne by the name of Summersett Island and the small Island thereunto adjacent Scituate and Lyeing in Pemaquid in the County of Cornwall . . . Provided the same be not appropriated or disposed off to any others" (F. B. Hough's Papers Relating to Pemaquid, 1856, pp. 107, 108).[1]

In a petition to Sir Edmund Andros, dated 14 April, 1687, James Stilson recited —

"That yor Pet^rs wives Grand Father John Browne in the year of our Lord 1652[2] purchased of one Somerset an Indian Native a Small Island called and knowne by the name of Somersets Island Lying not far from New Harbour in Pemaquid, and made some Improvement thereon, and afterwards gave the same unto Alexander Gold in marriage with his daughter who entred upon the same. Built a house thereupon, broke up and improved a considerable quantity of Land, and dwelt there for severall years, untill driven off by the Indians in the time of the late warr with the Indians An° 1676. and yor Pet^r marrying with one of the daughters & heires of s^d Gold, had the s^d Island transferred to him as his wives Portion, and had quiet Possession thereof, and disburs't upwards of Fourscore Pounds on his Setlement and Improvements there;" and Stilson asked Andros to "grant him a Confirmation and Pattent for the s^d Island and Lands thereon" (Documentary History of the State of Maine, vi. 262).

In a deposition made 9 February, 1720–21, the second John Brown testified that "his father laid claim to an island in the mouth of Broad Bay, called Sumorset island" (Order of both Branches, *etc.*, p. 115). While doubtless the name Muscongus Bay is usually applied to the sheet of water south of Long (or Bremen) Island and the name Broad Bay is usually applied to the sheet of water north of Long Island, yet sometimes Broad Bay and Muscongus Bay are used interchangeably. Thus, Thomas Botkin deposed, 31 August, 1764, that —

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[1] This document is not dated, but as Dongan became Governor of New York in 1683, as John Palmer and John West were sent to the Eastern parts in June, 1686, "with full power and authority to treate with the Inhabitants for Takeing out Pattents and Paying the quitt rents" (Johnston's History of Bristol and Bremen, p. 153), and as on 19 September, 1686, the "ffort and Country of Pemaquid in Regard of its Distance from New Yorke" (*Ibid.* p. 157) was detached from New York and placed under Sir E. Andros, it is probable that the license was granted about 1686. If my identification of Muscongus Island and Somerset Island is correct, it follows that "the small Island thereunto adjacent" is Marsh Island. It may be added that this is also the opinion of Professor Johnston, though he does not give his reasons for reaching this conclusion (*Ibid.* pp. 154, 238, 243, 464). It should be remarked that this license is the only document not relating to the Brown family in which Somerset Island is mentioned.

[2] Presumably an error for 1625.

"in the year 1738, I lived in the eastern parts, near adjoining to a place called Round Pond, on Broad Bay so called, now in the county of Lincoln; and the deponent knew William Hilton, who lived at Broad Cove, on the westwardmost part of Broad Bay" (*Ibid.* p. 127).

Here we find the name Broad Bay applied to both portions of the above mentioned sheet of water. If Round Pond, which is just north of New Harbor and directly opposite the north end of Muscongus Island, can be described as "on Broad Bay," surely the description of Somerset Island as being "in the mouth of Broad Bay" does not militate against its identification with Muscongus Island. Again, according to Sullivan, who wrote in 1795, "next to Pemaquid, and between Pemaquid Point on the west, and Pleasant Point on the east, we meet the waters of Broad Bay, which are on the shores of an ancient Dutch settlement of that name" (History of the District of Maine, p. 16). Finally, by Morse in his American Geography (1797) and by Williamson in 1832, Broad Bay is also made to extend to Pemaquid Point on the west.

Margaret Pittman deposed, 24 October, 1733, that —

"she was born at New Harbor, and lived there until they, with others, were driven off by the Indians. She well remembers her grandfather, John Brown, and she has often heard that her grandfather Brown gave her father, Alexander Gould, Muscongus island by a written[1] deed as a part of his estate and her portion; her mother often told her that s^d^ island was given by her father, John Brown to her husband, Alexander Gould and to his heirs, and to her the s^d^ Margaret. And the s^d^ Gould lived on s^d^ island, as his own estate, and his wife after his decease many years" (Johnston's History of Bristol and Bremen, pp. 243, 244).

Ruth Barnaby deposed, 6 September, 1764, that she "remembers James Stilson[2] who married Margaret Chamber and who lived on Miscongus Island" (Order of both Branches, *etc.*, p. 120). John Pearce of Marblehead deposed, 20 November, 1764, that he had seen the deed of 8 August, 1660, from Brown to Gould, that he had "since seen an Indian deed to old John Brown, of ancient date," and that "he understood that the Indian deed aforementioned, conveyed all the lands at New-Harbour and Broad Bay, that the said Gould and Brown claimed" (*Ibid.* pp. 111, 112). In a deposition, the date of which is not given, Margaret Pittman, according to Professor Johnston, "speaks of having attended public worship at Pemaquid fort, coming there for the purpose from Muscongus Island, where the family lived" (History of Bristol and Bremen, pp. 245, 246).

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[1] This deed, already mentioned by James Stilson, if ever given, is not extant.

[2] Alexander Gould's widow, Margaret (Brown) Gould, married Maurice Champney (or, as the name is variously spelled, Chamblett, Chamblet, Chamles, Champnye, *etc.*). Though the wife of James Stilson, Sr., was Margaret Gould, the daughter of Alexander and Margaret (Brown) Gould, yet it is not surprising that, after the lapse of so many years, Ruth Barnaby should have alluded to her as Margaret Chamber (*i. e.* Champney), rather than as Margaret Gould, thus confusing the step-father with the father. For this information as to Maurice Champney, as well as for several valuable suggestions, I am indebted to Mr. William P. Greenlaw, Assistant Librarian of the New England Historic Genealogical Society. (*Cf.* Genealogical Advertiser, i. 100, ii. 28.) At some unspecified time, but apparently between 1674 and 1720, Maurice Champney (or, as he is called, Morrice Chamles) was described as of Marblehead, but "formerly of Sumersett Island at the eastward" (Johnston's History of Bristol and Bremen, p. 235).

From these extracts it appears that the only deed in the Brown family is the deed from Capt. John Somerset to John Brown of 15 July, 1625; that from this deed of 1625 are derived all the claims made by the Brown family; that the only deed, whether Indian or other, in which an Island is mentioned is this deed of 1625; that Muscongus Island originally belonged to Capt. John Somerset and was by him conveyed to John Brown in this same deed of 1625; that Somerset Island was purchased by John Brown of Capt. John Somerset in 1652 (*i. e.* 1625); that Somerset Island was in Pemaquid and near New Harbor, exactly where Muscongus Island is situated; that Alexander Gould lived on Muscongus Island; that James Stilson lived on and improved Somerset Island; that James Stilson lived on Muscongus Island; and that Margaret Pittman's family lived on Muscongus Island. The chain of evidence, therefore, which links together Muscongus Island and Somerset Island would seem to be complete, and the conclusion is almost irresistible that what in these documents is called Somerset Island is the very Island which in 1625 was described as Muscongus Island, which still bears that name (though it is now also sometimes known as Loud's Island), and which has had no other name except in certain legal documents of which all but one relate to the Brown family. But whether Somerset Island actually is Muscongus Island, or whether it is some other island yet to be identified, it certainly cannot be doubted that the name Somerset Island, which we do not meet with until about 1686, was derived from Capt. John Somerset, a name encountered as early as 1625, and had, therefore, nothing whatever to do with any "deemed, reputed, or intended Province of New Somerset." [1]

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[1] In addition to Somerset Island, there was formerly in the same neighborhood a place called Somerset Cove. For information and for documents relating to Somerset Cove, I am indebted to the kindness of Mr. William D. Patterson, of Wiscasset, Maine. On the United States Coast Survey Chart of the Damariscotta and Medomak Rivers there is a small cove a little way below Muscongus Harbor and nearly abreast of the lower end of Hog Island, the nearest sounding figures being 4¼, and next above that 3¾. In the opinion of Mr. James H. Varney, Register of Deeds for Lincoln and formerly Town Clerk of Bristol, this cove was known as Somerset Cove. Apparently, it is the same cove which, in the deed of the Pemaquid Proprietors to James Morton, dated 21 September, 1763 (recorded in Lincoln Registry of Deeds, viii. 93), is called "Somerset Cove in Muscongus River"; and which also is mentioned in an indenture dated 18 June, 1766 (recorded in Lincoln Registry of Deeds, v. 152). In this indenture, made between Robert Gould of Boston and Hezekiah Eggleston, the latter is described as of "a Place called Somerset Cove in the County of Lincoln;" and it is recited that Eggleston is indebted to Gould in the sum of £355 lawful money for which he has given bond to pay on or before 18 June, 1767, and that as a collateral and further security for the payment of said sum he conveys unto the said Gould —

"a certain Tract of Land lying at a Place called Somerset Cove aforesaid containing about four hundred Acres butted and bounded as follows that is to say, Northerly in the Front upon Muscongus Island there measuring eighty Rods, and running northwest into the Country two Miles keeping the same breadth of Eighty Rods all the way, and Southerly in the Rear on Hog Island so called, and there measuring eighty Rods."

There is also mention of "Somersits cove" in a deed dated 25 October, 1719, from Cesar Moxis and Gustin, two Indian sagamores, to William Hilton (Lincoln Deeds, xl. 240).

In a deed dated 6 July, 1750, from Thomas Loveland to Isaac Moseley (*Ibid.* xiii. 177), of a part of land formerly of Richard Pearce, the tract is described as being part of "a larger Tract of Land adjoining to New Harbor, near Pemmaquid, called Miscongus alias Somersit," indicating that Somerset was also used as a name for the Muscongus region. In a deed

In the extract quoted above from Gorges's grant of 3 July, 1637, to Sir Richard Edgecombe, there is mention of "the Lake of newe Somersett." For many years no steps were taken in regard to this grant; but in 1718 —

"Mr John Edgecomb of New London in New England in behalf of the heirs of Sr Richard Edgecomb of Mount Edgecamb in the county of Devon Knt claims . . . all that part or parcell of Land at or neare the Lake of New Summersett which is conceiv'd to be fourteen Miles distant from the Shore of Casco Bay by a Northerly Line into the Inland Parts wch parcell of Land is to contain eight Thousand Acres" (Massachusetts Archives, Eastern Claims, 1674–1720, p. 82).

On 18 October, 1732, Jonathan Belcher, in a letter to Richard Edgcumbe, afterwards Baron Edgcumbe, wrote: —

"I . . . went & view'd what is suppos'd to be that tract of land mention'd to begin at the entrance of the next river to Sagadahock. It lyes on a river called Bungonungomug (an Indian name) and makes a part of Casco bay. . . . As to the other parcel of land mention'd to be near the lake of New Somersett, and to contain 8000 acres, I cannot yet find it or satisfy myself about it, but shall make further enquiry" (6 Massachusetts Historical Collections, vi. 194, 195).

No one has been any more successful in locating that lake of New Somerset than was Belcher; but it is thought that by it was intended Merry Meeting Bay, which receives the waters of the Kennebec, Androscoggin, and other smaller rivers. At all events, there was at one time a point of land in Merry Meeting Bay called Somerset Point. In the year 1718, writes the Rev. H. O. Thayer, "a few settlers located upon Somersett point;" and he proceeds to quote from a Report made to the Massachusetts House of Representatives in July, 1720, in which there is an allusion to that settlement. In regard to the name, Mr. Thayer says: —

"Summersett, Sommersett, Somerset. A point on the north shore of the bay, between Cathance and Abagadasset rivers. A controversy arose respecting the origin of the name, whether a local name, from the Ban Water, Ireland, affixed by the Scotch-Irish settler, Andrew McFadden, 1718, or an earlier name, associated with the Lord Edgecomb grant" (2 Collections Maine Historical Society, iv. 245, 249 and *note*).

Somerset Point seems to have disappeared from the map of Maine. Curiously enough, in view of the evidence which has been presented in this Note, the name Somerset did not become permanently attached to Maine until 1809, in which year the County of Somerset was established. "The name," wrote Williamson, "evidently suggested itself from old Somersetshire in England, transferred to Maine in the days of Sir Ferdinando Gorges" (History of the State of Maine, ii. 611).

All the essential facts about Samoset and Somerset are given in this Note. The conclusions which the present writer draws are, that Samoset and Capt. John Somerset were presumably one and the same person; that Samoset was the man's Indian name; that the Indian's English name of John Somerset was a corruption of Samoset; that Somerset Island — an appellation not found at all before 1683, and then only in legal documents relating to the Indian, the

from Pearce, dated 1734 (*Ibid.* xvii. 1), of land near "Whale Cove," there is mention of "Town ship of Summersett." Mr. Patterson cannot locate Whale Cove, but believes the land described is in the Muscongus region.

island elsewhere having always been known as Muscongus or Loud's[1] Island — derived its name from Capt. John Somerset; that the title Somerset, as applied to any portion of Maine, other than the just-mentioned Somerset Island, was due to Sir Ferdinando Gorges, was unknown before 1636, was occasionally employed between 1636 and 1643, disappeared after 1643, temporarily reappeared in the eighteenth century as the designation of a point of land, and was permanently revived in the nineteenth century as the name of a County; that Pemaquid was beyond the limits of the territory granted to Gorges; and that Somerset, as a geographical name brought from England, could have been applied in the seventeenth century only to the portion of Maine which fell within Gorges's patent. Finally, there seems to be no escape from the further conclusion that the burden of proof lies on those who maintain that the Indian's name was originally John Somerset and that Samoset is a corruption of Somerset.

During the discussion which followed the reading of Mr. Noble's communications, remarks were made by Messrs. WILLIAM WATSON GOODWIN, HENRY H. EDES, ROBERT N. TOPPAN, and ANDREW MCFARLAND DAVIS.

Mr. FREDERIC HAINES CURTISS was elected a Resident Member; and the Hon. JAMES BURRILL ANGELL, LL.D., of Ann Arbor, Michigan, Mr. EDWARD FIELD, of Providence, Rhode Island, and the Rev. GEORGE PARK FISHER, LL.D., of New Haven, Connecticut, were elected Corresponding Members.[2]

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[1] Mr. Patterson informs me that the name Loud was probably not applied to the island until about the year 1776.

[2] At the Stated Meeting of the Society in December, at which these gentlemen were nominated by the Council, the Hon. JUSTIN SMITH MORRILL, LL.D., was also proposed for Honorary Membership. Senator Morrill died in Washington, however, on the twenty-eighth of December, — before the Society has had an opportunity to confirm the action of the Council and enrol his name.

FEBRUARY MEETING, 1899.

A STATED MEETING of the Society was held in the Hall of the American Academy of Arts and Sciences on Wednesday, 15 February, 1899, at three o'clock in the afternoon, the President, EDWARD WHEELWRIGHT, in the chair.

The Records of the Stated Meeting in January were read and approved.

The CORRESPONDING SECRETARY reported that since the last meeting letters had been received from Mr. FREDERICK HAINES CURTISS accepting Resident Membership, and from President ANGELL, Mr. EDWARD FIELD, and Professor GEORGE PARK FISHER, accepting Corresponding Membership.

President WHEELWRIGHT then said: —

As the one hundred and sixty-seventh anniversary of the birth of George Washington occurs one week from to-day, and before our next Meeting, this seems a proper occasion to present to the Society a photographic copy of a letter of that great man.

The copy was made a few years ago from the original, which is still in the possession of Mr. Herman Jackson Warner of Boston, but now resident abroad, in whose family it has been preserved as an heirloom. Mr. Warner is well known to several of our associates, having graduated at Harvard in 1850 in the same class with our associates John Noble and Augustus Lowell.

General Jonathan Warner, to whom this letter was addressed, was born at Hardwick, in the County of Worcester, Massachusetts, 14 July, 1744. At the beginning of the Revolutionary contest, he was Lieutenant of a militia company in his native town, was Captain of a company of minute-men, 1774, became Colonel in the same year, was promoted to be Brigadier-General by the General Court, 13 February, 1776, and in 1781 was made Major-General.

He served through the Revolutionary War and after its close was largely instrumental in suppressing Shays's Rebellion. He was re-commissioned Major-General in 1786, was honorably discharged on his voluntary resignation in December, 1789, and died 7 January, 1803.[1] He was father of William Augustus Warner (H. C. 1815), and grandfather of the present possessor of the letter.

The Proclamation referred to in the letter is that issued by Washington on the twenty-fifth of January, 1777, declaring that "all persons who had accepted Lord Howe's offer of protection must either retire within the British lines, or come forward and take the oath of allegiance to the United States."[2] This was just after Washington's brilliant achievement of crossing the Delaware, fighting two successful battles, and driving the enemy out of the Jerseys. He had now taken up a strong position on the heights above Morristown. Here the main body of the American Army was posted, while the right wing under Putnam occupied Princeton and the left wing under Heath rested upon the Hudson. Bound Brook, where Brigadier-General Warner was stationed, was somewhat in advance of this line and nearer the British position. It is about twenty miles, as the crow flies, south of Morristown, and only about five miles from New Brunswick, from which it is separated by the Raritan River. New Brunswick, Amboy, and Paulus Hook were the three positions still retained by the British in New Jersey.

The text of Washington's letter to General Warner, which is not found in either Sparks's or Ford's edition of Washington's Writings, is as follows: —

HEAD QUARTERS MORRISTOWN 12th Feby
1777

Sir

That a proper line of Conduct may be observed towards the Inhabitants near the Enemy's Lines, I would observe, that tho' it is my desire to have the Terms & Conditions of my proclamation religiously complied with, yet I do not intend that it shall be made a Shelter for our Enemies to injure us under it with impunity. Those

[1] Paige's History of Hardwick, pp. 523–525.

[2] Fiske's American Revolution, i. 236. The Proclamation is printed in Ford's Writings of Washington, v. 201, 202.

who wish to stay with us, till the expiration of the *thirty* days, for no other purposes than to convey Intelligence to the Enemy and poison our peoples minds, must and shall be compelled to withdraw immediately within the Enemy's lines. Others who are hesitating which Side to take and behave friendly to us, till they determine, must be treated with lenity. Such as go over to the Enemy are not to take with them any thing but their Cloathing and furniture. Their Horses, Cattle, and Forage must be left behind. Such as incline to share our fate, are to have every Assistance afforded them that can be granted with Safety; neither Waggons nor Horses must be too much hazarded in doing this Business. The Effects of all persons in Arms against us must be seized and secured. I wish this line of Conduct to be observed by all our parties, for which purpose you will make them acquainted with my determination.

I am Sir

Y^r most ob^t Servt

G^o Washington

Genl Warner.

[*Addressed*]

To

Brig^r Genl Warner

at

Bound Brook.

I have also to offer for the inspection of the Society an original Indenture of Apprenticeship for ten years from 29 December, 1706, of Joseph Bentley, with consent of his mother, Margaret Bentley, widow, to Joseph White, mariner, and Sarah, his wife, all of Boston, dated 18 December, 1706, in the fifth year of the reign of Queen Anne. One of the witnesses signs himself, in very crabbed writing, Peregrine White, — not the original Peregrine, who had died two years before, but probably his son.

This document has been loaned for exhibition to the Society by Mr. William C. Codman of Boston.

Mr. Abner C. Goodell said he thought that the Indenture exhibited by the President was exceptionally interesting. The signature of Peregrine White was undoubtedly that of

the son or grandson of the first-born American of English parentage in Plymouth Colony. In 1704, Peregrine, and Benoni, his brother, or son — probably the latter, since he is called "a lad" in the record — were in Boston, and were arrested for counterfeiting bills of public credit on the Province. They were subsequently convicted and sentenced.[1]

Mr. DENISON R. SLADE communicated two unpublished letters of James Lovell, and another from Samuel Adams to Col. Henry Bromfield. The text of these letters is as follows: —

I.

To the Selectmen of Boston

Gentlemen

Besides an application to your friendship made last Fall while I was in the Provost at Boston Mrs. Lovell[2] I believe can show the Coppy of a Second proof of my Confidence in you since my Imprisonment at Halifax & I now proceed to give you a testimony of its continuance in Vigor by desiring you to Represent to propper Authority — that the treatment of prisoners here is not only Scandalous by neglecting all distinction of Rank but is also murderous by joining the nuisances & Infection of an Hospital to the Confinement and Common Miseries of a Jail — That we have been even thirty six & are now thirty in a single Leaky Room the Floor our Bedstead a thin flock Bed & pair of Blankets being the best provision for two, one has lingered & died in our Sight thro^h want of propper Nourishment & one has been long near the point of death not allowed the Comfort of removal to a Convenient place of Attendance while Several with Fluxes go in Continual Rotation to a Tub thro^h the Night when we are Close lockt in.

I am aware that the Humanity & Education of the Colonists will make them backward to retaliate these things and I suppose that all the Enemys Chiefs do not Conduct with the same Wanton or Willfull Cruelty therefore I cannot pretend to point out a general Alteration of the exceeding kind treatment & distinction which is shown to Prisoners

[1] See Province Laws (Standard edition), vol. viii., — Resolves 1704–5, chap. 79, and 1707, chap. 8, for a full account of this case.

[2] Lovell married Mary Middleton, 24 November, 1760 (Registers of Trinity Church).

in the Several United Colonies but I cannot help wishing that some particular Officers of like Rank with Col^o Allen,[1] Capt Proctor,[2] Master

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[1] Col. Ethan Allen was captured 25 September, 1775, and exchanged 6 May, 1778. In 1779, he published at Philadelphia a curious and, at times, amusing Narrative of Colonel Ethan Allen's Captivity, . . . Containing His Voyages and Travels, . . Interspersed with some Political Observations. The extracts from it given in our succeeding notes are from the Boston reprint of 1779.

[2] This was Francis Proctor, Senior — or Procter, as the name was sometimes spelled — of Pennsylvania. He was appointed Lieutenant in his brother Thomas Proctor's Company of Artillery 29 November, 1775 (Pennsylvania Colonial Records, x. 416); was dismissed 8 December (*Ibid.* x. 423, 424); was captured not long after by the British; and in May, 1776, was placed on the Mercury, under the command of Captain James Montague, off Cape Fear, and taken to Halifax, where he arrived in June. On the same ship was Ethan Allen, who later wrote: —

"A Capt. Francis Proctor was added to our number of prisoners when we were first put on board this ship: This gentleman had formerly belonged to the English service. The Capt. and in fine all the gentlemen of the ship, were very much incensed against him, and put him in irons without the least provocation, and he was continued in this miserable situation about three months" (Narrative, p. 20).

We next hear of Proctor in a letter dated Jerseys, 5 November, 1776, by James Lovell to Captain Thomas Proctor, in which Lovell says: —

"I left Captain *Francis Procter*, your brother, on board the prison-ship *Glascow*, in *New-York* harbour, the 3d of this month. He is in good health, has some encouragement of being speedily exchanged, but hopes his friends will exert themselves to bring about that desirable event, as much as if he had not received any hints about it, for he fears those hints are only to amuse him. He has once wrote, and he now earnestly wishes that proof may be sent to General *Washington* of his having had a regular discharge from the *Irish* Artillery, and consequently that he is not a deserter, as is sometimes thrown in his teeth. I have been his fellow-prisoner for months at *Halifax*, where he had fared hardly, but greatly better than when under the control of Captain *Montague*, who seemed to aim at his life" (American Archives, Fifth Series, iii. 519).

Proctor was soon after exchanged, for on 24 January, 1777, we find him writing from Philadelphia to the Council of Safety of Pennsylvania as follows: —

"I make no Doubt you are acquainted with my first unsuccessful attempt to Exert my Utmost in defence of the great Cause of American Liberty in General, and the State of South Carolina in particular; And therefore Chuse not to trouble you at present with a Narrative of my long Imprisonment, Cruel Treatment, and other distressing Circumstances during that Period to the time of my Enlargment, But have the Honour of acquainting you that I Cannot be an Idle Spectator of the present Glorious Contest whilst my Country wants a man, and therefore take the Liberty of Informing you that I am now going (by Desire of General Knox) to Head Quarters to take Command of a Company of Artillery in the Continental Service" (Pennsylvania Archives, Second Series, i. 696).

Howland[1] & his Mate Taylor[1] in conjunction with some privates & a Counterpart to poor Carpenter[2] & myself may be brought to wish for an Exchange & to petition Gen! Howe for it or at least to remonstrate to him upon the provocation which he has given for an alteration of their Limitts Lodgings & Diet. I mention Gen! Howe because the Military Commander here is left with little more discreationary power than a Sergeant or an Ordinary Jailor.

To judge by appearances my life has been aimed at in what I have been obliged to undergo, therefore my Friends may Chuse to Communicate the Information which I now & then give under the cover of *Authentic Intelligence* rather than *Extract of a Letter* & be assured I pay a Sacred regard to the truth of Facts.

There is a formidable as well as Accursed Effort against the Colonies this year. May God defend & prosper the American Cause, & may you Personally & relatively enjoy Health & every domestic Happiness.

Your fellow Citizen Suffering at a distance from you I yet continue to be Sincerely

Gentlemen your Friend &
Most H^ble^ Serv!

JAMES LOVELL.[3]

Proctor was appointed Captain of the 4th Continental Artillery 3 March, 1777, and dismissed 14 April, 1778 (*Ibid.* xi. 201). We get a final glimpse of him, in quite a different calling, however, in the Pennsylvania Evening Post of Saturday, 18 July, 1778, No. 506, iv. 245: —

THE subscriber begs leave to inform his friends and the public in general, that he now occupies the LIVERY STABLES formerly John Hales's in Lombard-street, near the New market, where he will entertain horses by the year or night, having the best accomodations, and suitable places for carriages.
Philad. July 18. FRANCIS PROCTOR, sen.

For a notice of Thomas Proctor, see Appletons' Cyclopædia of American Biography.

[1] "Among the prisoners," wrote Allen, "there were 5 in number, who had a legal claim to a parole, viz. James Lovel, Esq; Capt. Francis Proctor, a Mr. Houland, master of a Continental armed vessel, a Mr. Taylor, his mate, and myself" (Narrative, p. 23). Consider Howland and Jacob Taylor were, respectively, master and mate of the privateer brig Washington (American Archives, Fifth Series, i. 1283, 1284).

[2] This was Richard Carpenter, of Boston (*Ibid.*).

[3] A biographical note on James Lovell will be found on pp. 79–81, *post.*

II.

Decr 4th 1778.

Dear Sir[1]

I, this morning, received the inclosed from Baltimore, with a few Lines from my amiable young Friend your Son,[2] and though I was only to forward it by a private Hand or put it into the Office, I will make this Request of his the Cause of my performing an agreeable Right of Civility & Gratitude to you, which an unbounded Portion of public Business will probably make me, as heretofore, neglect, without some accidental Stimulus, like the present, occuring.

On the Spur, then, of this Occasion I most affectionately salute you & your lovely Family. I will not be forgotten by my former charming Pupils, even if they are married. I retain a most pleasing Memory of them & their exemplary manners. Mrs Bromfield[3] must excuse me if remembring also her many enviable Qualities, I retain one visible Anecdote of her. She told *her* Daughter[4] so lately as two years ago to "hold up her Head." Well might the little Emblem of Uprightness show a rosey Streak of Wonder.

And now, Sir, finding my Brain relieved, by this little Exertion of Fancy, from the State into which it had been beaten by the Pros & Cons in a Discussion upon Finance, I think I can venture again upon the disagreeable Subject for a moment or two. While we are plodding here to reduce the Quantity of circulating Medium, cannot Associations be formed to discountenance one great Source of Depreciation which operates more strongly than even Quantity. I mean the speculating Spirit which is devouring us in geometrical Proportions. Taxation is doubtless our first object here and will most readily be received by all the People. Loan is another, if not the second to be pursued; but then, Quere, foreign or domestic? How shall Monies *now* received in Loan be paid? As those received in 1776? Every Genius on the Continent with a Turn to Finance should throw his mite in to the Delegates of his particular State while that important Matter is in agitation.

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[1] This letter was written to Col. Henry Bromfield, concerning whom see *ante*, v. 202 *note*.

[2] Henry Bromfield (1751–1837) was the son of Col. Henry Bromfield by his first wife, Margaret Fayerweather. He was a successful and wealthy merchant, and long resided at Cheltenham, Gloucestershire, England, where he died, childless.

[3] Hannah Clarke, daughter of Richard Clarke, — Col. Bromfield's second wife. See *ante*, v. 210 *note*.

[4] Elizabeth Bromfield, born 1763, died 1833. See *ante*, v. 210 *note*.

I parted with your Brother Thomas[1] this morning Decr. 5th. Your son probably will sail before his Uncle. But doubtless one or other of them decide this matter to you by Letter. I have only therefore to add renewed assurances of Regard as your affectionate obliged humble Servant.

JAMES LOVELL

III.

Philada Sept 2, 1777.

My dear Sir

I am requested by a Member of Congress from South Carolina for whom I have a particular Regard, to introduce his Friend Mr Henry Crouch[2] to some of my Boston Friends. He is a Merchant of Charlestown and will set off on a Visit your Way tomorrow. I take the Liberty of addressing a Letter to you by him. Your friendly Notice of him will greatly oblige me.

I heartily congratulate you on the happy Change of our Affairs at the Northward. The Feelings of a Man of Burgoyne's Vanity must be sorely touched by this Disappointment.

Howe's Army remains near where they first landed and is supposed to be ten thousand fit for Duty. Washington's Army exceeds that Number, is in health & high Spirits, and the Militia have joynd in great Numbers, well equip'd and ambitious to emulate the Valor of their Eastern Brethren. Our light Troops are continually harrassing the Enemy. The Day before yesterday they attack'd their out Posts & drove them in, killing & wounding a small Number. By the last Account we had taken about seventy Prisoners without any Loss on our side. Our Affairs are at this Moment very serious and critical. We are contending for the Rights of our Country and Mankind — May the Confidence of America be placed in the God of Armies! Please to pay my due

[1] Thomas Bromfield, born 1733, died 1816. For a sketch of the Bromfield family, by our late associate, Dr. Daniel Denison Slade, see New England Historical and Genealogical Register for 1871 and 1872, xxv. 182–185, 329–335; and xxvi. 37–43, 141–143.

[2] For a Petition, dated 10 May, 1780, from the inhabitants of Charleston to General Lincoln requesting him to "send out a flag, in the name of the people, intimating their acquiescence in the terms propounded," and for a facsimile of the signature of Henry Crouch, one of the signers, see Year Book, City of Charleston, 1897, pp. 394, 398. In November of the same year, Crouch, together with other citizens of Charleston on parole, was sent by Cornwallis to St. Augustine (Ramsay's History of the Revolution of South Carolina, 1785, ii. 169, 459).

Respects to my old Friend Mr Phillips[1] & his Family and be assured that I am very cordially

Yours

SAML ADAMS.

Henry Bromfield, Esq.

[*Addressed*]

Henry Bromfield, Esq.
Boston.

NOTE ON JAMES LOVELL.

BY ALBERT MATTHEWS.

The first letter is not in Lovell's handwriting, but is signed by him, and, presumably, was written from Halifax in August or September, 1776. Allen, in his Narrative, says that he and his fellow-prisoners "arrived at Halifax not far from the middle of June;" that they were kept "on board the prison-sloop about six weeks, and were landed at Halifax near the middle of August;" and that they were taken "from the prison-sloop to Halifax gaol, where I first became acquainted with the now Hon. James Lovel, Esq; one of the members of Congress for the State of Massachusetts-Bay" (pp. 21, 22). But here Allen's recollection was a trifle at fault, for in a letter dated 8 August, 1776, he wrote: —

"The 5th instant I was landed, and the prisoners that have been with me, and put into the common jail in *Halifax*. We have the liberty of the yard in the daytime. In this prison I found the wise and patriotick Mr. *James Lovell*, from *Boston*, who has greatly contributed to conversable happiness, and supplied me with the comforts of life" (American Archives, Fifth Series, i. 860, 861).

Hence, Lovell's letter could hardly have been written before August.

In November, 1775, Gen. Howe had suggested the exchange of Lovell for Col. Skene of New York; and the negotiations which, after the lapse of nearly a year, finally resulted in this exchange, may be followed in the American Archives, Fourth Series, iv. 314, 315, 974, 975, 1633, vi. 1075, 1076; Fifth Series, i. 380, 381, 500, 502, 510, 587, 679, 711, 727, 766, 820, 1590, ii. 437, and iii. 556. An interesting Report on the Exchange of Prisoners during the American Revolution is in 1 Proceedings of the Massachusetts Historical Society for 19 December, 1861, v. 325–*347. Lovell reached Boston 30 November, 1776.

James Lovell, one of the most distinguished of the early patriots of Boston, was born 31 October, 1737; graduated at Harvard College in 1756; was usher in the Boston Latin School from 1757 to 1775; was master of the North Grammar, now Eliot, School; was appointed Receiver of Continental taxes in 1784; in 1788 and 1789, was Collector for the port of Boston; and was Naval Officer of Boston from 1790 till his death, 14 July, 1814, at Windham, Maine (Loring's

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[1] William Phillips, born 1722, died 1804. See Memorial History of Boston, ii. 543, iii. 29, 38 *note;* and American Quarterly Register for 1840, xiii. 12.

Hundred Boston Orators, 1853, pp. 29–37; and Boston Record Commissioners' Reports, xxiv. 230). Lovell is best remembered as the first of the Boston Fifth-of-March Orators. His Oration, made 2 April, 1771, fills pp. 7–16 of the Orations delivered at the Request of the Inhabitants of the Town of Boston, to Commemorate the Evening of the Fifth of March, 1770. Son of John Lovell, the famous schoolmaster, who differed from him politically, James Lovell ardently espoused the popular cause as against the Ministry, and later took up arms against the King. It was while a prisoner on the charge of treason or rebellion that he wrote the letter addressed to the Selectmen of Boston. For glimpses of Lovell during his confinement in Boston, see the Journal of John Leach, and extracts from the Journal of Peter Edes, both kept in Boston Gaol from 19 June till 4 October, 1775, in New England Historical and Genealogical Register for 1865, xix. 256–262. The originals of both Journals are in the possession of our associate Mr. Henry H. Edes. (*Cf.* 1 Proceedings of the Massachusetts Historical Society for December, 1871, xii. 176–181; and Catalogue of the Boston Public Latin School (1886), pp. 19 and *note*, and 163.) The following extracts are also of interest: —

"*BOSTON, June* 27. Monday last came from Newbury-Port a young man belonging to this town, who informs that he left Halifax 30 days ago, that . . . he saw master JAMES LOVELL, who was cruelly confin'd in Boston goal by order of Gen. Gage, for 10 months, and from thence taken with the Bunker-Hill prisoners and carried to Halifax, and committed to prison, where he remained when our informant came away; that he kept up his spirits with surprising firmness amidst the accumulated insults and injuries he had received, and had petitioned Gen. Howe for tryal or to be liberated, or sent to England for tryal" (Boston-Gazette of Monday, 1 July, 1776, No. 2002, p. 1/2).

"Last Saturday Evening, arrived in this Town, from Halifax, via New-York, (after a long and cruel Imprisonment,) the Hon. JAMES LOVEL, Esq; to the no small Joy of the Inhabitants of the Capital of this State.

"*We hear that the honorable* FRANCIS DANA, *and the honorable* JAMES LOVEL, *Esqrs; are chosen Delagates, to represent this State, in General Congress, in Addition to the five Members now present, at Philadelphia*" (*Ibid.* of Monday, 2 December, 1776, No. 1124, p. 3/2).

"In a few weeks after this I had the happiness to part with my friend Lovel, (for his sake, who the enemy affected to treat as a private; he was a gentlemen of merit, and liberally educated, but had no commission; they maligned him on account of his unshaken attachment to the cause of his country)" (E. Allen, Narrative, p. 25).

It was through Lovell, it is interesting to note, that a meeting was brought about between John Trumbull, the future artist, and Copley. In January, 1772, Trumbull, as he himself tells us, —

"was sent to Cambridge, under the care of my brother,[1] who in passing through Boston indulged me by taking me to see the works of Mr. Copley. His house was on the Common, where Mr. Sears's elegant granite *palazzo* now [1841] stands. A mutual friend of Mr. Copley and my brother, Mr. James Lovell, went with us to introduce us. We found Mr Copley dressed to receive a party of friends at dinner. I remember his

[1] Joseph Trumbull and James Lovell were both of the Harvard Class of 1756, and both were delegates to the Continental Congress. Col. John Trumbull graduated at Harvard in the Class of 1773, which he entered as a Junior in January, 1772.

dress and appearance — an elegant looking man, dressed in a fine maroon cloth, with gilt buttons — this was dazzling to my unpracticed eye! — but his paintings, the first I had ever seen deserving the name, riveted, absorbed my attention, and renewed all my desire to enter upon such a pursuit" (Autobiography, Reminiscences and Letters, pp. 11, 40–48).

See the Political Magazine for December, 1780, and February, 1781, i. 756, 757, ii. 79, 80; Sparks's Correspondence of the American Revolution, i. 408–414; Ford's Writings of Washington, iii. 288, 385, iv. 286 *note*, 309, 317 *note*, vi. 199 *note*, vii. 17 *note*, ix. 152; 1 Proceedings of the Massachusetts Historical Society, v. 8–12, vii. 194, 195, viii. 323, xi. 141, xii. 176, xiii. 127, 128; and J. T. Austin's Life of Elbridge Gerry, i. 336–344.

Mr. Robert N. Toppan said: —

I wish to call the attention of the members of the Society to the omission of a date in the original Records of the Colony of Massachusetts Bay, which led the Editor of the official printed copy into an error which, in turn, misled Dr. Palfrey in his admirable History of New England. Although the mistake may appear trifling, it would seem to be the duty of this Society, whose Publications are noted for their accuracy, to point out any historical error, however trivial.

In the original Records of the General Court, which were written by Edward Rawson, the Secretary of the Colony, the last entry made related to an adjournment.[1] The Charter of the Colony having been vacated by process of law in England, a temporary Government was established in Massachusetts by the King, Joseph Dudley being selected as President. His authority was to continue until the arrival of a Royal Governor from the mother country. The General Court, having had notice served upon it by Dudley of his appointment, decided to adjourn to a fixed date. The colonists hoped for a reversal of the judgment annulling their Charter, and it was therefore necessary to preserve a legal continuity. The reasonableness of their hope is shown by the fact that Sir Thomas Powis, the Attorney General of James II., gave his official opinion that "the Charter had been illegally vacated."[2] Opposite the last entry made by Secretary Rawson, which reads —

[1] Court Records, vol. v. last page.

[2] Edward Randolph (Publications of the Prince Society), ii. 89.

"This day the whole Court mett at the Goûno's house, there the Court was adjourned to the seccond Wednesday in October next, at eight of the clocke in ye morning —"

there is no date, and there is no space or break between that entry and the preceding one to indicate in any way that the General Court met on two different days. The entry preceding that of adjournment is dated by Rawson "20th May, 1686," which is correct, but by his neglect to add the numerals 21 at the side of the entry of adjournment, the Editor of the official printed Records was led to believe that the adjournment took place on the twentieth, and it is so printed.[1] This date was naturally accepted by Dr. Palfrey, who had no reason to doubt of the accuracy of the Editor.[2]

Judge Sewall, in his Diary,[3] states distinctly that the General Court adjourned on the twenty-first. Under the date of Friday, 21 May, 1686, he writes: —

"The Magistrates and Deputies goe to the Governour's . . . The Adjournment which had been agreed before, Second Wednesday in October next at 8 aclock in the Morning, was declared by the Weeping Marshal-Generall. Many Tears Shed in Prayer and at parting."

A confirmation of the date given by Sewall is found in a letter of Edward Randolph written from Boston to the Committee for Trade and Plantations, dated 23 August, 1686, in which he says: —

"the late Generall Court being vpon an adjournment continued, made vpon ye 21 of May last & are to meet at 8 aClock in ye morning vpon ye second Wednesday in October next: and as yet ye President & Council, tho' often moued by my selfe that their adjournm^t ought to be declared illegall, haue done nothing to discountenance that act."[4]

During the discussion which followed, Mr. ABNER C. GOODELL and Mr. JOHN NOBLE mentioned several other errors made by Rawson, Mr. Noble remarking that in one

[1] Massachusetts Colony Records, v. 517.
[2] History of New England, iii. 486.
[3] 5 Massachusetts Historical Collections, v. 140.
[4] Edward Randolph (Publications of the Prince Society), iv. 116.

place in the General Court Records he records a session of sixteen consecutive days including two Sundays.

Mr. CHARLES K. BOLTON then said: —

The responsibility of an author for his views expressed in print has always been a subject of interest. The case of John Colman,[1] in Boston, in 1720, excited much comment at the time, and the pamphlets which he wrote are still frequently mentioned;[2] but there is little said of the author's arrest.

At a "Council held at ye Counc^l^ Chamber in Boston upon Tuesday Ap. 12th 1720," the Governor, Samuel Shute, being present —

"His Excellency communicated to ye Board a Pamphlett lately printed & published in Boston entituled, The distressed State of the Town of Boston considered in a Letter from a Gentleman in ye Town to his friend in ye Country, upon Reading ye same ye Board were of Opinion That ye s^d^ Pamphlett contains in many passages reflecting upon ye Acts & Laws of ye Province & other proceedings of ye Governm^t^ & has a tendency to disturb the administration of ye Governm^t^ as well as the publick Peace & thereupon

"*Voted* That ye Justices of ye Peace at their Genl Sessions enquire after ye authors & publishers of the s^d^ Pamphlet & proceed therein according to Law & Justice."[3]

Sewall, in his Diary (III. 250), under date of 12 April, relates that —

"The Govr in Council said he had met with a Libel; producing it; it apeared to be the distressed estate of Boston: I had not seen it before. Council order'd the Sessions to inquire after the Author and printer and to do with them according to Law."

The vote of the Council was carried out, as will be seen by the following reference to the "Libel" in the Records of the Court of General Sessions of the Peace (folio 37), at an adjournment held at Boston on the twenty-fifth day of April, 1720. I quote from a manuscript[4] in the Boston Athenæum: —

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[1] A biographical note on John Colman will be found on pp. 86–89, *post*.

[2] See *ante*, iii. 10, 12, 13, 14, 17, 72, and 75.

[3] Council Records, Massachusetts Archives, vii. 132.

[4] An earlier volume of the Records of the Court of General Sessions (1671–1681) is now in press and will be issued by the City of Boston.

"Upon an Informacon from ye Governour & Council to this Court that there has lately been printed & published in Boston a Pamphlet entituled the distressed State of the Town of Boston &c Considered in a letter from a Gentleman in the Town to his friend in the country Concerning which the Council Board (upon reading the same) were of opinion the s^d Pamphlet contains in it many Passages reflecting upon the Acts & Laws of the Province & other proceedings of the Governmt as well as the Publick peace the S^d Book was bro^t into the Court & read & John Colman of Boston merch^t being sent for by the Court & questioned whether he was the author of S^d book acknowledged that he was.

"*Ordered* That the S^d John Colman recognize to His Majesty in the sum of £50 with 2 sureties in £25 each to answer at the next Court to what shall be objected ag^t him more especially relating to S^d Book & to be of good behaviour the declaring this Order be referred to ye adjournmnt of the Court on Monday at 9 of clock aforenoon."

Meanwhile Colman's advocacy of the Private Bank project and an inflation of the currency caused the publication of Wigglesworth's reply, — A Letter from One in the *Country* to his Friend, in *Boston, etc.*,[1] dated 23 April, and of other pamphlets. At the adjournment of the Court of General Sessions, on Monday, May second, Colman was ordered to recognize in the sum of £50 "with 2 sureties in £25 on Condition that he appear at the Sessions in July next," *etc.* The sureties were James Gooch[2] and Stephen Minot.[3]

[1] Catalogue of the Library of George Brinley, i. 189. This pamphlet was anonymous, but by Sabin is attributed to E. Wigglesworth.

[2] A biographical note on James Gooch will be found on pp. 90–92, *post.*

[3] Col. Stephen Minot, son of Capt. John Minot, was born in Dorchester, 10 (6) 1662; married Mercy, daughter of Capt. Christopher Clark of Boston, 1 December, 1686; removed to Boston, where he was a prominent merchant, an early member of the Church in Brattle Square, Colonel in the Militia, Justice of the Peace, and Selectman, 1707, 1708, 1723–1725. He resided in Sudbury Street, where he died. This estate had been the homestead of Henry Messenger the younger, whose young widow and heir, Mehitable (Minot) Messenger, for £220, conveyed it to her cousin-german, Stephen Minot, 11 July, 1687 (Suffolk Deeds, xv. 153.) It was on the westerly side of Sudbury Street, on which it had a frontage of 66 feet, and extended through to Court Street, where it measured 77 feet. The site is now (1899) covered by brick buildings numbered 89–97 in Sudbury Street and 131–139 in Court Street. The Boston Weekly News Letter, No. 1502, from Thursday November 2 to Thursday November 9, 1732, contains the following announcement of his death, the full date of which nowhere else appears in print: —

"Boston, Novemb. 9. On the Night after the last Lord's Day [5 November], Died here Col. Stephen Minot, in the 71st year of his Age."

From other duties, or from a wish "to be of good behaviour" until his case came up at the Sessions in July, Colman published no reply to his critics at this time. The next official record of his case is disappointingly meagre; it chronicles the first business of the Court held at Boston on the fifth of July, 1720: —

> "Disch^{d} by proclamacōn
> Increase Robinson [1] Jeremiah
> Belknap [2] John Colman."

Colman very soon prepared a reply to his chief critic, in which he advised "the Gentleman to stick to Divinity for the future." This pamphlet — The Distressed State of the Town of Boston Once more Considered — was dated the twentieth of July of the same year.[3]

(Boston Record Commissioners' Reports, viii. 41, 45, 172, 180, 185, xxi. 8; Records of the Church in Brattle Square; Savage's Genealogical Dictionary of New England, i. 392, iii. 218; and Whitmore's Massachusetts Civil List, pp. 127, 128.) See Suffolk Probate Files, No. 6310.

[1] Increase Robinson was of Taunton, Massachusetts. He was the son of Increase and Sarah (Penniman) Robinson of Dorchester who, in or before 1668, removed to Taunton, where the son married Mehitable Williams, had a large family, and died in 1738. The offence which brought him before the Court, 25 April, 1720, was that on the fifth of February, 1719-20, at Dorchester, he —

> "did maliciously from his own Imagination pronounce & publish certain scandelous & contemptuous words of the Honble Col^{l} Penn Townsend of this [Suffolk] County Esqr Chief Judge of the Comon pleas;"

for which he was ordered to —

> "pay a fine of Six pounds to the King or be whipped ten stripes at the Publick whipping post & Recognize to his Majesty himself in the sum of 50^{l} & two sureties in the sum of 25^{l} pounds each until the next Court of Genl sessions to be holden in July next, & pay Costs of prosecution Standing Committed," *etc.* (Records of the Court of General Sessions of the Peace, folio 37).

In the list of the military company of Taunton, 30 May, 1700, are the names of Increase Robinson and his brothers Ebenezer and Josiah. Administration on the estate of Increase Robinson was granted to his son William Robinson, 20 March, 1738. The Inventory amounted to £1.584. 03. 02 (Bristol Probate Records). See Bristol Deeds, xiii. 358; and Suffolk Deeds, xxxvi. 42.

[2] A biographical note on Jeremiah Belknap will be found on pp. 93, 94, *post.*

[3] See *ante*, iii. 10 *note.* I am indebted to our associates, Mr. Henry H. Edes, Mr. Frederick Lewis Gay, and Mr. Albert Matthews, to Mr. Robert H. Kelby of New York, and to Mr. Edmund M. Barton of Worcester, for information concerning several valuable discoveries recently made by them, which they have kindly permitted me to use in the notes to this communication.

NOTE ON JOHN COLMAN.

By HENRY H. EDES.

John Colman was a conspicuous figure in the social and commercial life of Boston during the latter part of the seventeenth, and the first half of the eighteenth, century. His connection with the financial history of the Province and with the apprehension of Capt. John Quelch, the pirate, and his companions has been already shown in these pages (*ante*, iii. 10, 12–14, 17, 72, 75). The fact that so little is generally known of him is doubtless owing, in large degree, to his having been overshadowed in the public mind by his younger brother, the Rev. Dr. Benjamin Colman, the first minister of the Church in Brattle Square. Between the brothers there was a close bond of affection, fully attested by Dr. Colman's will, dated 25 March, 1747, which contains this passage: —

"*Item.* I Remit and Give up to my beloved Brother John Colman, Esqr. his Bond to me for One hundred pounds, with the Interest due thereon, ... as a small Acknowledgment of my great Obligations to him, for his Bounties to me in my youth" (Suffolk Probate Files, No. 8827).

William Colman, the father of these brothers, was the son of Matthew and Grace Colman of Sotterley, near Beccles, in the County of Suffolk, where he was baptized 31 August, 1643. He resided for a time in London, and came hither in the "Arabella" with his wife Elizabeth. In 1676 his name appears on the Roll of the Ancient and Honorable Artillery Company, of which he was third sergeant in 1683 and ensign in 1692 (Roberts's History of the Ancient and Honorable Artillery Company, i. 242). He was much employed in town affairs and was of the first board of Overseers of the Poor chosen 9 March, 1690–91 (Boston Record Commissioners' Reports, vii. 206). Two children were born to him in Boston, — Mary, 3 December, 1671, and Benjamin, 19 October, 1673. He died in Boston, 27 March, 1712 (Sewall's Diary, ii. 342). *Cf.* Turell's Life of Benjamin Colman, p. 210.

There has been preserved in the Bulfinch family a valuable, unpublished private record, wholly in the handwriting of John Colman, of which the following is a verbatim copy: —

John Colman was Married in Boston N England To Judeth The Daughter of Mr William and Ann Hobby, July the 19th 1694. Shee dyed February 1st 1741/2

Shee was 20 years old when I married her & we lived togather 47 years 6 m^o 12 dayes. - - - - - - - - - - - - - -

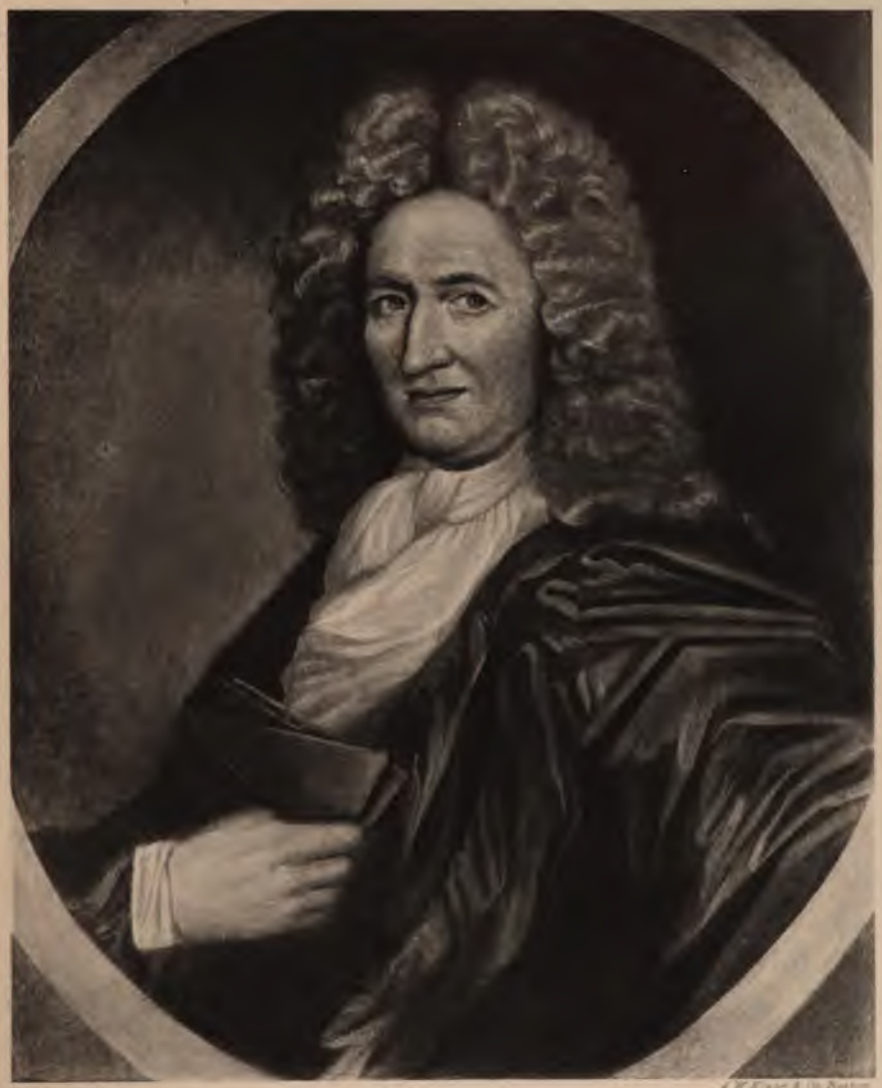
1 May ye 8th 1695, My Wife was delivered of a dead Child, a Daughter,

Son 2 February 28th 1696/7 was born my first Son named John, being Satterday, about Seven in the Evening, and died the 12th of Aprill following Lived Six Weeks.

Son 3 December 15th 1698, was born, William, being Thursday about Two in ye Morning and died October 31, 1702, he lived 3 years 10 months 16 dayes.

4 On this Sabbath August 4th 1700 about Twelve of the Clock, or noon, was born Ann and died November 15th 1718, Shee lived 18 years, 3 Months, 11 dayes.

John Colman



A. W. Elson & Co. Boston

John Colman

Engraved for The Colonial Society of Massachusetts
from a portrait by Smibert
in possession of Miss Ellen M. Ward

UNIV. OF MICH.

Son 5 Aprill 23d 1702, My wife was delivered of a Son, which died in the birth.

Son 6 On Thursday March ye 2d 1703/4 about Eight in the Evening, was born, a Second Son Named John — was Married Decr 26, 1734 To Mrs Sarah Payne.

7 On Wensday May ye 8th 1706 about Ten in the Morning, was born, Elizabeth, and Died October 17th 1707, Shee lived, Seventeen months, nine dayes.

8 On Thursday May ye 2d 1707 about Eight in the Morning was born a daughter named Judeth — was Maried To Doctre Tho: Bulfinch June 11th 1724.

9 On Munday the fourteenth of February 1708/9 about Eight of the Clock in the Morning, Sarah was born, was Married to Mr Peter Chardon Decembr 7th 1733 [1] and died the last of November 1749.

Son 10 On Tewsday November ye 28th 1710. at one the Morning Benjamin was born and was Married to Mrs Deborah Oulton March ye 24th 1736. Shee dyed Octr 12. 1738 and he married agane to Mrs Hannah Pemberton Augt 16. 1739.

Son 11 On July 26,: 1712, My Wife was delivered of a Son, Still born.

Son 12 On Munday ye 24th of August 1713 at four in ye afternoon, was born a Second Son named William, which died the 6th of Septr following, Lived but 13 dayes.

Son 13 On ye 20 of June 1716, my Wife was delivered of a Son, Still born.

14 On ye 23d of December 1718, My Wife was delivered of a Daughter, Still born.

[*Filed*]

An Accot of my Marrage, and of the Births of all my Children, written from my originall Records, August the 4th 1738.

John Colman

I was born in London upon Tower Hill Januy 3d 1670/1. Came to NEngland at two Years old; anno 1750/1 Januy 3d I am this day 80 years old

May:	8.	1795 [1695]
Feb:	28.	1696/7
Decr	15.	1698
Augt	4.	1700
Apr:	23.	1702
Mar:	2.	1703/4
May .	8.	1706
May	2.	1707
Feb.	14.	1708/9
Novr	28.	1710
July	26.	1712
Augt	24.	1713
June	20.	1716
Decr	23.	1718

The two lines added by Colman on the eightieth anniversary of his birth are in an infirm hand.

From the time he was twenty-six years old, John Colman was active in the public affairs of the Town, holding and declining various minor offices before and after his election as a Selectman (1713), and as an Overseer of the Poor (1715). With Elisha Cooke and other leading citizens, he served on many important committees; among others, one to consider the proposed establishment of a Spinning School (1720) for the instruction of the children of the Town (Boston Record Commissioners' Reports, vii., viii., xi., xii., *passim*). In 1699, he was a Founder of the Church in Brattle Square, — stigmatized as the "Manifesto

[1] The Boston Town Records and the Records of the Church in Brattle Square state that this marriage was solemnized on the *Sixth* of December, 1733.

Church" by the Mathers, with whose church his own and his wife's family, the Hobbys,[1] had previously been connected. Sir Charles Hobby was Colman's brother-in-law, and among the Probate papers of the knight's insolvent estate (1715) is a long account of Colman's and a petition of Lady Elizabeth Hobby which prove that Hobby left a son and more than one daughter,[2] notwithstanding it has been often stated in print that he left no issue (Suffolk Probate Files, No. 3690). In this connection the following advertisement is of interest: —

"TWo Negro men, and one Negro Woman & Child; to be Sold by Mr. *John Colman*, Merchant; to be seen at Col. *Charles Hobbey*, Esq; at his house in *Boston*" (Boston News-Letter of Monday, 29 May, to Monday, 5 June, 1704, No. 7, p. 2/2; and No. 8, p. 2/2).

In August, 1705, Colman declared himself —

"Deputed ℘ the Hono^ble John Dod Esqr the Receiv^r of the rights and Perquisites of his Royal Highness Prince George of Denmark Lord High Admiral of England &^c to receive w^t might become due to his Royal Highness in these parts" (Massachusetts Archives, ii. 154).

In May, 1706, he signed the Petition of the Boston merchants to the General Court asking it to memorialize the Home Government to establish a monthly "Packett" from England to the New England colonies (Province Laws, viii. 623, 624).

In 1708, Colman's warehouse was "nigh the Swinging Bridge" which crossed the Town Dock from Merchants Row to North Street (Boston Record Commissioners' Reports, xi. 84). *Cf.* Suffolk Deeds, xix. 376, and xx. 548, 549, 555. In February, 1722–23, liberty was granted by the Selectmen to Jonathan Belcher and John Colman "to Erect Each of them a ware house upon the Long wharfe according to their Petion Entred in the Booke for Recording Timber Buildings" (*Ibid.* xiii. 109). On the twenty-ninth of March, 1734, with others, he promised the Town "that the end of the Long Wharf should speedily be put into a proper posture and condition to plant Guns upon" (*Ibid.* xii. 75).

In 1731, John Colman was given a Commission of the Peace (Whitmore's Civil List, p. 128).

Colman's mansion-house was on the northerly side of Hanover Street, on a part of the site of the American House, being contiguous, on the east, to the estate of Judge John Saffin (see *ante*, i. 87 *note*). Colman bought the estate, for £220, of Henry Alline, 19 September, 1703 (Suffolk Deeds, xxi. 486). The lot measured 37 feet on Hanover Street and extended back 350 feet, and was a part

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[1] William Hobby gave £2 towards the building of King's Chapel, in July, 1689, and, in May, 1694, £2 towards building pews in the church. He was a Warden, 1693, 1699–1701, and so, likewise, was his son, Sir Charles Hobby, 1713–1715. (Foote's Annals of King's Chapel, i. 89, 117, 175 *note*; ii. 603, 605.)

[2] These children were (i) John, who was at Harvard College in 1714 and 1715, and later at Barbados, whose widow Amey had married a Crichlow before 14 July, 1749, (ii) Elizabeth, who married James Gooch, Jr., 30 September, 1715, and (iii) Mary, born 19 February, 1702, who married Zechariah Hubbard, 15 May, 1722. Lady Hobby was buried, 17 November, 1716. (Suffolk Probate Files No. 3690; Suffolk Deeds, xxxix. 174, 175, xl. 129, lxxvii. 11, 173; Boston Record Commissioners' Reports, xxiv. 15, xxviii. 58, 107; Boston Town Records of Deaths.)

of the original Possession of Governor Leverett. In 1709, and 1710, Colman, with others, undertook to lay a pavement at the upper end of Hanover Street, for which they were paid by the Town (Boston Record Commissioners' Reports, xi. 107, 115). He conveyed this Hanover Street property, in two parcels: (1) the rear portion, about 38 by 120 feet, which had also a frontage on Cold Lane (now Portland Street) to his son John Colman, Jr., 27 August, 1742 (Suffolk Deeds, lxiv. 14); and (2) the front part, — "all that Messuage where I now dwell" — 37 by 233 feet, to his son Benjamin Colman, 15 August, 1747 (Suffolk Deeds, lxxiv. 49).

Colman owned another valuable estate which now (1899) makes the easterly corner of Bowdoin Square and Chardon Street. He bought it 1 March, 1711–12, of the heirs of Major Anthony Haywood, who died 10 October, 1689, when, and subsequently, it was known as "The Bowling Green." Haywood's widow Margaret had married John Colman's father, William Colman, 30 June, 1692 (Suffolk Deeds, xiii. 171, xv. 212, xxvi. 162; Suffolk Probate Files, No. 1710; Suffolk Probate Records, xxii. 56; Boston Record Commissioners' Reports, ix. 203; Savage's Genealogical Dictionary of New England, ii. 394). Colman conveyed to his prospective son-in-law, Peter Chardon, 12 November, 1733, the westerly portion of this estate (78 by 250 feet), on the front of which now stands the Baptist Tabernacle (Suffolk Deeds, xlviii. 50); and to his son-in-law Dr. Thomas Bulfinch, 28 September, 1737, the easterly part (70 by 222 feet), "whereon he hath lately built himself an house and stable," which is now covered in part by the Coolidge House (*Ibid.* liv. 249).

At a meeting of the Selectmen, held 26 September, 1711 —

"Liberty is granted to Isaac Addington Esqr to the children of Capt Nath^ll Green deceased and to Mr John Colman, to break ground in the Old burying place [King's Chapel Ground] to make three Tombs vizt one for each family" (Boston Record Commissioners' Reports, xi. 148).

The Boston Evening Post of Monday, 23 September, 1751, No. 840, p. 2/1, contains the following announcement: —

"BOSTON . . . . Thursday last [19 September] died suddenly, in a very advanced Age, *John Colman*, Esq; formerly a noted Merchant of this Town."

John Colman's estate never came into the Probate Court for the reason that he had conveyed his property to his four surviving children during his lifetime, as we have already seen. His portrait and those of his wife, of his son Benjamin, and of his daughter-in-law, Hannah (Pemberton) Colman are in the possession of Miss Ellen M. Ward of Boston, a descendant, — the canvases of Mr. and Mrs. Benjamin Colman being at present in the custody of Colman Ward Cutler, M.D., of New York City. The portrait of Hannah (Pemberton) Colman is remarkably beautiful and is believed to have been painted by Blackburn; the others are from the brush of Smibert. They are described by Augustus T. Perkins in 1 Proceedings of the Massachusetts Historical Society for May, 1879 (xvii. 95), where they are erroneously said to belong to the late Henry Davenport. The date of Mrs. Benjamin Colman's marriage is also erroneously given as 1737.

NOTE ON JAMES GOOCH.

By Henry H. Edes.

James Gooch was a valuable citizen of Boston, whither he came from Wells in the then province of Maine. His grandfather, John Gooch, was at York as early as 1640, when his wife, Ruth, was summarily dealt with by the Court for her improper relations with the Rev. George Burdett of unsavory memory (1 Maine Historical Society's Collections, edition of 1865, i. 365, 366); was a freeman, 1652; removed to Wells, where he was a Selectman in 1653 (Massachusetts Colony Records, iii. 334); and died early in 1667. Bourne says that he first settled at Newbury (History of Wells and Kennebunk, Maine, p. 78. *Cf.* Massachusetts Colony Records, i. 266). His will, dated 7 May and proved 12 July, 1667, mentions wife Ruth, sons John and James, and several grandchildren, and bequeaths to his son James a house, garden, and orchard in Slimbridge, in the hundred of Berkeley (the birthplace of Dr. Edward Jenner), Gloucestershire, England, which he had bought of William Hammond (Maine Wills, pp. 32, 33); from which it is inferred that the emigrant came hither from Slimbridge.

James Gooch, the emigrant's son, was a substantial citizen of Wells. While returning home from meeting on Sunday, 24 September, 1676, he was shot down from his horse by the Indians in ambush near the Garrison-house at one end of the town. The Indians then knocked down and wounded his wife, who died within three days (Hubbard's Narrative of the Troubles with the Indians in New England, Drake's edition, ii. 182).

Captain James Gooch, son of the preceding, was born in 1665, presumably at Wells. At the memorable attack on Wells by the Indians on the ninth and tenth of June, 1692, he commanded one of the two sloops which played an important part in that affair (Mather's *Decennium Luctuosum*, reprinted in the Magnalia, 1702, Book vii., pp. 78–81; Niles's Narrative in 3 Massachusetts Historical Collections, vi. 228). About this time, he removed to Boston (Record of Admissions to the First Church, 1692; Boston Record Commissioners' Reports, ix. 207). His name appears in the List of Inhabitants in 1695 (*Ibid.* i. 163). On the ninth of June, 1698, James Gooch of Boston, mariner, eldest son and heir of his father, James Gooch, late of Wells, yeoman, deceased, and Elizabeth his wife, sell and convey to John Wheelwright of Wells, several parcels of land formerly belonging to his late father (York Deeds, iv. 125). In June, 1700, James Gouge (as the name was often spelled) [1] petitioned the General Court on behalf of the town of Wells for assistance in rebuilding its meeting-house, and in other ways, because of its losses during the Indian

[1] Our associate, Mr. Albert Matthews, calls my attention to the following extract from a Tory pamphlet, — The American Times, By Camillo Querno, London, 1780, p. 37, which seems to show that Gooch, Gouge, and Googe had the same pronunciation as late as 1780, since Governor Gooch of Virginia is supposed to be here referred to: —

> Ev'n whilst I write a monster fierce and huge
> Has fix'd his station in the land of Googe;
> Virginian caitiff! Jefferson by name;
> Perhaps from Jefferies sprung of rotten fame.

Wars (Province Laws, vii. 642. *Cf.* Williamson's History of Maine, ii. 29). He took an active part in the affairs of the town as early as 1700, when he was chosen Constable (Boston Record Commissioners' Reports, vii. 239); and he held other minor offices until 1714, when he was elected an Overseer of the Poor, — an office which he continued to hold till 1729 (*Ibid.* viii., xii., *passim*). He served also on various town Committees, — among others, on that to prepafe Instructions for the town's Representatives in the General Court, in 1722 (*Ibid.* viii. 166). He was also prominent in the affairs of the First Church, served on the Committee appointed to rebuild the Meeting House after the great fire of 3 October, 1711, and, in April, 1713, was appointed with Dr. Elisha Cooke and others to "be seaters of ye New meeting house, now built" and to dispose of the seats and pews as they might deem most advantageous to the parish (Records of the First Church). In a List of "Vessells Entred in ye Month April 1712" at the Impost Office in Boston, signed by Daniel Russell, Commissioner, in the cabinet of the New England Historic Genealogical Society, is this entry:—

"8th Peter Papillon ye Ship Sarah from London
Twenty Nine Mariners
James Gouge Gentleman."

(New England Historical and Genealogical Register for 1876, xxx. 40.) It is possible that Captain Gooch had been in England on business connected with the estate at Slimbridge of which we have already spoken.

Captain James Gooch was thrice married. His first wife was Hannah Emmans[1] of Charlestown, to whom he was married 10 February, 1691-92 (Charlestown Town Records). She was admitted to the First Church in Boston, 25 September, 1692. Their son James, who also enjoyed the title of Captain, was born 12 October, 1693; married (1) Elizabeth Hobby,[2] doubtless one of the daughters of Sir Charles Hobby, and (2) Hester Plaisted; was one of Prince's Subscribers; one of the Founders, and the first Deacon, of the West Church; and removed to Hopkinton, Massachusetts, where he was a Justice of the Peace (Records of the First Church, Church in Brattle Square, and West Church; Suffolk Probate Files, No. 3690; Whitmore's Massachusetts Civil List, p. 137; and Suffolk Deeds, lxi. 253). Mrs. Hannah Gooch died 15 March, 1694-95 (Boston Record Commissioners' Reports, ix. 219). Her husband had been baptized and admitted to the First Church on the twenty-ninth of the preceding April; and his purpose of marriage with Elizabeth Peck, daughter of John Peck, and grand-daughter of Thomas Peck, senior, was entered 15 August, 1695 (*Ibid.* xxviii. 348; and Suffolk Probate Files, No. 2556). The fruit of this marriage, beside a child who died in infancy, was a daughter, Elizabeth, born 17 March, 1697-98, who married (1) Capt. John Hubbart and (2) John Franklin, an older brother of Dr. Benjamin Franklin; a son, John, born 23 October, 1699, who, in 1735, subscribed £50 toward building a public workhouse, and was otherwise active in the public service; and another son, Colonel

[1] She was probably identical with Hannah, daughter of Samuel and Mary (Scott) Emmons, who was born in Boston, 1 March, 1672-73 (Boston Record Commissioners' Reports, ix. 76, 123).
[2] See *ante*, p. 88, and *note*.

Joseph Gooch (H. C. 1720), born 18 November, 1700, who was bred to the law at the Temple, was Representative, Colonel in the Militia, and Justice of the Peace, living, successively, at Boston, Braintree, and Milton, where he died, 9 February, 1770. John Adams (Works, ii. 93) has drawn the character of Colonel Gooch with a trenchant pen. (Boston Record Commissioners' Reports, ix., *passim*, xii. 183, xiv. 80, 168, xxiv. and xxviii., *passim;* Suffolk Probate Files, No. 2556; Suffolk Deeds, lxxxii. 139; Whitmore's Massachusetts Civil List, p. 128; Boston Evening-Post of Monday, 19 February, 1770, No. 1795, p. 3/1; and Teele's History of Milton, p. 130.) Mrs. Elizabeth Gooch died 1 April, 1702 (Boston Town Records), and on the twelfth of November following, Captain Gooch consoled himself by taking a third wife, Sarah Tuthill, erroneously spelled *Tuttle* in the marriage record (Boston Record Commissioners' Reports, xxviii. 4. *Cf.* Sewall's Diary, ii. 117, *note*).

Captain Gooch owned several pieces of valuable real estate in Boston. His mansion house and garden made the northerly corner of Mackerel Lane (now Kilby Street) and what is now Doane Street, and there he lived from the autumn of 1695 — just after his marriage to Elizabeth Peck — till his death in 1738. The garden made the corner of the lot, and had a frontage of about twenty-eight feet on Kilby Street, and thirty-two feet on Doane Street; while the homestead had a frontage of fifty-six feet on Doane Street and extended back, towards State Street, twenty-eight and a half feet. The whole estate comprised all the frontage on Doane Street from Kilby Street to the present site of the Fiske Building, — about eighty-eight feet. Gooch bought the property from Thomas and Elizabeth Peck and their daughter Faith Waldo by deeds dated 5 and 28 September, 1695, and 30 March, 1698 (Suffolk Deeds, xviii. 106, 108, 224; and lxi. 253, 254). See Appendix to A Genealogical History of the Descendants of Joseph Peck (Boston, 1868), pp. 267–277; and Boston Record Commissioners' Reports, ix., *passim.*

The Boston Evening-Post of Monday, 5 June, 1738, No. 147, p. 2/1, contains this paragraph: —

BOSTON. On Tuesday last [30 May] died here, after a long and tedious Indisposition, Capt. *James Gooch*, in the 73d Year of his Age; and on Saturday he was very honourably interred.

The New England Weekly Journal of Tuesday, 6 June, 1738, No. 581, p. 2/1, has this notice: —

BOSTON. . . . On Tuesday last died after a long and tedious Confinement with the Palsy, Mr. *James Gooch*, of this Town Merchant, in the 73d Year of his Age, and on Saturday Evening following was Interr'd in a handsome and decent Manner.

Captain Gooch was, doubtless, buried in Tomb No. 3 in the South [Granary] Burying Place, which had been assigned to him by the Selectmen, 13 April, 1721 (Boston Record Commissioners' Reports, xiii. 80, 184). His will disposes of a very good estate, and contains legacies to the ministers and the poor of the First Church (Suffolk Probate Files, No. 7150).

I am indebted to our associate, Mr. Frederick Lewis Gay, for valuable assistance in the preparation of this note.

NOTE ON JEREMIAH BELKNAP.

By Henry H. Edes.

Jeremiah Belknap of Boston, leather-dresser, grandfather of the historian, Dr. Jeremy Belknap, was born 1 January, 1686–87 (Boston Record Commissioners' Reports, ix. 168); married Sarah Fosdike (or Fosdick) 3 November, 1709 (*Ibid.* xxviii. 22); joined the Ancient and Honorable Artillery Company 1711 (Roberts's History, i. 373); was admitted a member of the Old South Church 9 March, 1711–12, as his wife had been 8 May, 1709 (Church Records); and was chosen one of the Selectmen in 1747 (Boston Record Commissioners' Reports, xiv. 107).

At a meeting of the Selectmen, 2 April, 1711, it was —

"Agreed to Lett unto Jeremiah Belknap a Shop extending from ye door way to the So^ly corner of ye Town House wch is to be Erected there, for the Term of Seven years to Comence the first of June next, and for the first years rent he is to be at ye charge of building ye S^d Shop, & to pay ten pounds ℔ annum quarterly for ye next 6 years, he to maintaine & deliver up ye Same in Good repaire" (*Ibid.* xi. 129, 140).

In the Book of Possessions, we find under the name of Richard Bellingham —

"1. One house and Lott about a quarter of an acre, bounded on the east with the streete: Christopher Stanley, John Biggs, James Browne, and Alexander Becke on the south: Joshua Scotto on the west; and Mr William Tynge on the north" (*Ibid.* ii. 168).

On the second of July, 1709, this property was conveyed by Governor Bellingham's heirs to Joseph Hiller[1] of Boston, tinplate worker, for £400 by an indenture, executed in London, which contains matter of interest and value to those interested in the genealogy of the Bellinghams. The property is described as a messuage or tenement and land in Boston (Suffolk Deeds, xxv. 130). On the eighteenth of September, 1717, for £1,150, Hiller conveyed the house and a part of the land "in Cornhill Street in Boston," bounded: east on the street, 21 feet 5½ inches; north on land of Dr. Zabdiel Boylston, 175 feet; west on Brattle Street (Franklin Avenue was then so called), 21 feet 9½ inches; and south on other land of Hiller, 174 feet, to Jeremiah Belknap of Boston, leather-dresser (Suffolk Deeds, xxxii. 70). This house was built in 1712 and replaced the one destroyed by the great fire of 1711 (Boston Record Commissioners' Reports, xi. 153, 155, 156, 171, 172, 176). This estate remained in Belknap's possession and occupancy till his death, and in the division of his real estate, made in 1754 by his heirs among themselves, it is accurately described in two parcels (Suffolk Deeds, cxv. 129; Suffolk Probate Records, xlix. 742). It will be remembered that the lower part of Washington Street was then known

[1] Joseph Hiller was born in Watford, Hertfordshire, England, 26 June, 1653. On the twenty-first of September, 1677, he came to Boston and there married, 11 June, 1684, Susannah Dennis, born 29 May, 1655, who joined in the deed to Belknap. They were the great-grandparents of Major Joseph Hiller of the Revolutionary army, — the first Collector of the Port of Salem and Beverly under the Federal Constitution, appointed by Washington in 1789. Major Hiller's silver punch-strainer has been long in the possession of our associate Mr. Henry H. Edes (Genealogy of the Cleveland and Cleaveland Families, 1899, pp. 234, 235). *Cf.* Boston Record Commissioners' Reports, ix. 174, xxiv. 151, xxviii. 52, 279; and Wyman's Genealogies and Estates of Charlestown, i. 504.

as Cornhill. The present thoroughfare bearing that name was laid out in 1816, and that part of it which lies between Franklin Avenue and Washington Street traverses the Belknap estate, which was thereby obliterated.

At a meeting of the Selectmen, 30 August, 1725, "Liberty is granted to mr Jers Belknap to build a Toomb," — No. 33, on the south line, in the Granary Burying Ground (Boston Record Commissioners' Reports, xiii. 143, 184). Belknap died in 1751, his will, dated 8 June, 1750, having been proved 13 August of the following year (Suffolk Probate Files, No. 9809). See Boston Record Commissioners' Reports, xi. 113, 134, 135; and New England Historical and Genealogical Register for 1859, xiii. 17, 18.

Mr. JOHN NOBLE read extracts from the forthcoming Second volume of the Records of the Court of Assistants (1673–1692) and exhibited some remarkable photogravures of certain pages of these Records made by Mr. A. W. Elson for insertion in the printed book. A long discussion ensued, in which several of the Members participated.

Mr. ABNER C. GOODELL spoke in praise of the work done by Mr. Noble towards perfecting the Records of the Colonial Court of Assistants. Continuing, Mr. Goodell said: —

The loss of the First volume is greatly to be deplored. When it disappeared is not known. The late David Pulsifer was once heard to declare that he thought he remembered it; but some years later, upon being questioned about it particularly, was not so sure that he had ever seen it. There is just a possibility that it may some day come to light, but in the meanwhile we must be content with the extracts from it found in papers scattered among the files of the Superiour Court of Judicature, and upon the Files themselves covering the period of this volume. In the work he has now accomplished, Mr. Noble seems to have saved us the labor of collecting these scattered details, and in so doing has made a most valuable addition to available sources of history.

The entire record of the highest judicatory of the Colony established for administering justice and, with the exception of a few years during the Usurpation, existing from 1630 to 1692, is a repertory of legal information which has been very sparingly utilized but which must yield to the competent student many new and important facts bearing upon the development of our jurisprudence.

The instances to which Mr. Noble has called our attention are not only interesting as curiosities, but they show, among other things, the important fact that, in Colonial times, even in capital cases, the accused might waive a Jury Trial and be tried, convicted, and sentenced by the Bench. This seems to have resulted from giving a literal interpretation to the usual question put to the prisoner at the bar, — "How will you be tried?" and his answer thereto. If his reply was "By God and my country," the case went to the Jury, but if he expressed a desire to be tried by the Judges alone, the case proceeded in that manner to final judgment.

All through the Colonial and Provincial periods, in capital cases the accused was called upon to answer this question, — "How will you be tried?" before an issue was made upon which the case could proceed to trial. The penalty inflicted upon the prisoner if he failed to respond was the same as if he stood mute when called upon to plead guilty or not guilty. This was the *peine forte et dure* of the Common Law, the only instance of which in Massachusetts, so far as is known, being the case of Giles Corey in the Witch Trials. The statement by our historical writers that Corey was pressed to death because he would not plead to this indictment, is an illustration of the blind deference to a supposed authority which makes the study of our history so perplexing to a close student. The original papers in the Witch Trials show conclusively that Corey did plead Not Guilty, but that he refused to "put himself upon the country," as the legal phrase ran. This declaration made up the issue, and thereupon the clerk minuted upon the back of the indictment "*ponit se*" — "he puts himself" — and the case stood for trial, as it could not do without this entry. Cotton Mather appears to have been the first to make the error of declaring that Corey was pressed to death for refusing to plead, which has been repeated by subsequent writers who have preferred to follow him implicitly, rather than to ascertain the exact fact by inspecting the original record.

Mr. GOODELL also remarked: — It is creditable to our young Society that two such valuable contributions to our history as Mr. Noble's work, and the complete collection of the Letters and Official Papers of Edward Randolph by our associate, Mr. Toppan, two volumes of which have already appeared in the Publications of the

Prince Society, should have been first brought out almost simultaneously at this late day. The latter work, covering a period perhaps the most obscure in our history — owing doubtless to the prevailing prejudice against Randolph, who has been traditionally regarded and characterized solely as the "Evil Genius of New England" — is of the greatest interest to all profound students of New England history, and when completed in the exhaustive and critical manner in which it has thus far been pursued, will undoubtedly be ranked among the most valuable collections of original papers upon which all future historians of New England must lean for guidance through the difficult story of the Usurpation. Mr. Toppan's discovery and correction of the error in our hitherto accepted chronology, to which he has to-day called our attention, is an illustration of the careful manner in which he has conducted his researches. After the publication of these full and exact parallel collections of data, one relating to our Colonial judicature and the other to our Colonial politics and executive administration, we may expect, with the aid of Mr. Whitmore's comprehensive collection of the Andros Tracts, also published by the Prince Society, a continuous and complete history of the Colony from the accession of Charles II. to the arrival of the Province Charter under William and Mary that will be full of surprises to those whose opinions of men and measures during that period are based upon the judgments of our popular historians.

Mr. WORTHINGTON CHAUNCEY FORD of Boston was elected a Resident Member, the Hon. JOHN HOWLAND RICKETSON of Pittsburg, Pennsylvania, a Corresponding Member, and SAMUEL PIERPONT LANGLEY, D. C. L., of Washington, D. C., an Honorary Member.

Mr. WILLIAM WATSON GOODWIN communicated a Memoir of George Martin Lane, which he had been requested to prepare for publication in the Transactions.

MEMOIR

OF

GEORGE MARTIN LANE, LL.D.

BY

WILLIAM WATSON GOODWIN.

GEORGE MARTIN LANE died at his house in Cambridge, 30 June, 1897, on the morning of Commencement Day. He was born in Charlestown, Massachusetts, 24 December, 1823, the anniversary, as he often remarked, of the birth of the Emperor Galba. He was the son of Martin Lane, of Northampton, Massachusetts, and Lucretia Swan of Boston, who were married in King's Chapel on the eighteenth of December, 1808, by Dr. James Freeman.[1] Our associate's parents lived many years in Charlestown, from which place they moved to Cambridgeport soon after the birth of their son. The son began his studies at the school of George J. Abbot in Cambridgeport. He also attended the school kept by Charles S. Wheeler, an accomplished classical scholar, who graduated at Harvard College in 1837, was tutor and instructor there from 1838 to 1842, — during which period he published a valuable edition of Herodotus, with notes, — and afterwards

[1] I am indebted for the following note to the kindness of our associate, Mr. Henry H. Edes: —

"It is an interesting fact, that, nearly ninety years afterwards, the son of Martin and Lucretia Lane, our late associate, suggested the Latin motto upon the monument erected by the Wardens and Vestry of the Chapel to the memory of Dr. Oliver Wendell Holmes. (See Annals of King's Chapel, ii. 629.) On removing to Charlestown, Mr. Martin Lane connected himself with the Second Congregational (later the Harvard) Church, of which the Rev. James Walker was the minister for twenty-one years. Here, on the twenty-fifth of July, 1824, he baptized Mr. Lane's two daughters, Elizabeth-Minot (born 28 January, 1817), and Lavinia (born 31 October, 1820), and his son, George-Martin, who was destined to become Professor of Latin in Harvard College two years before Dr. Walker himself passed from the Alford Professorship to the Presidency."

went to Germany to continue his classical studies with Gottfried Hermann at Leipsic, where he died in 1843. Lane is said to have been first inspired with his love for the classics by his intercourse with Wheeler, whose early death disappointed the hopes of his friends and of all friends of the classics at Cambridge.

Lane finished his preparation for college at the Hopkins Classical School at Cambridge, and he entered Harvard College in 1842. He graduated, with high distinction as a scholar, in 1846. In the same class was Francis James Child, who remained one of Lane's most intimate friends for life. The two were associated as professors in Harvard University more than forty-five years, from their appointment in 1851 until Child's death in September, 1896. A tale, perhaps a myth, was believed in College in late years, that each of the two friends did his best to make the other graduate at the head of the Class; this honor fell to Child, but he was closely followed by Lane as second. In his Senior year (1846), Lane delivered the Latin oration at the inauguration of President Everett.[1] His scholarship in Latin made him a special favorite in College of Dr. Charles Beck, the University Professor of Latin, whose confidence in his pupil was shown by his leaving to him the whole instruction in Latin of the three upper classes in the College during the second half of 1846–1847, when the Professor was absent in Europe. The scholarship and the skill displayed in this trying position gained for the young tutor the respect of both officers and students, and doubtless designated him as Dr. Beck's successor in the professorship. Many of us who entered College in 1847 well remember the bright-eyed, almost boyish-looking, youth whom we found in 23 University Hall, where we were sent to be examined in Latin Grammar, as we thought, by the Professor of Latin; and it was with a feeling of awe that we heard that he was going in a few days to Göttingen to study the classics.

In the autumn of 1847, Lane went to Germany to study Classical Philology, being convinced that the German universities were the best, indeed, the only, institutions in which a scholar could be properly prepared for the work of a professorship in Greek or Latin. At that time no university in the United States

[1] Addresses at the Inauguration of the Hon. Edward Everett, LL. D., as President of the University at Cambridge, Thursday, April 30, 1846, pp.19–24.

offered any systematic instruction in the classics beyond that which was regularly given to its college classes. Lane spent four years in Germany as a student, chiefly at Göttingen, which he visited first and at which he took his degree; he studied also at Berlin, Bonn, and Heidelberg. His enrolment as a student at Göttingen, in 1847, with that of our late President, Dr. Benjamin A. Gould, in the same year, made an era in American scholarship, and was the beginning of a change which has affected all departments in our universities during the past half-century. This was the renewal of an older and most promising intercourse between Harvard University and Göttingen, which began in 1815, when Edward Everett, just appointed to the new Eliot Professorship of Greek Literature in the University, went to Göttingen to prepare himself for his work. This was a remarkable step for the time, and shows a most enlightened foresight as well as great enterprise on the part of Mr. Everett and his Harvard friends. Before this time, if the records of the University of Göttingen are to be trusted, no American had ever studied there. Everett remained at Göttingen two years, with Dissen for his private tutor; and in September, 1817, he received the degree of Doctor of Philosophy, being, as he writes, "the first American — and, so far as I know, Englishman — on whom it has ever been conferred." He was joined at Göttingen by two other well-remembered Americans, — George Ticknor, a graduate of Dartmouth, who studied at Göttingen in 1815–1816, but did not take a degree; and Joseph Green Cogswell, who graduated at Harvard College in 1806, was tutor there in 1814–1815, went to Göttingen in 1816, and took the degree of Doctor of Philosophy there in 1819. George Bancroft graduated at Harvard in 1817, and went immediately to Göttingen, where he took the Doctor's degree in 1819. These four distinguished men, three of them Harvard graduates, all returned to hold important positions at Harvard, — Everett as Professor of Greek Literature (1815–1826), Ticknor as Professor of French, Spanish, and Belles Lettres (1817–1835,) Cogswell as Librarian (1821–1823), and Bancroft as Tutor (1822–1823). The published letters of Everett, Ticknor, and Cogswell are eloquent in praise of the new and unexpected facilities for higher study which they found in Germany; but this "open door" was closed for many years after Bancroft left Göttingen, in 1819. We find

Henry W. Longfellow registered at Göttingen in 1829; and John Lothrop Motley studied Law there, with Bismarck, in 1832–1833. With these exceptions, according to the University records, no Americans studied in Göttingen from 1819 until the advent of Gould and Lane in 1847; but in the ten years from 1847 to 1857, forty-seven American students were registered there, of whom seven were Harvard men; most of these studied also at other German universities. Since 1857, there has been a steady succession of students from all our chief universities to those of Germany, including Göttingen, Berlin usually having the largest share in later years.

This movement, which has done more to raise the standard and the tone of American scholarship than any other influence, was thus inaugurated, in 1847, by our late associates, Benjamin Apthorp Gould and George Martin Lane. That year found Gould in Göttingen as a student of Gauss; and he and Lane were soon joined by Child, Gildersleeve, and others. Lane received the degree of Doctor of Philosophy at Göttingen in 1851. His dissertation, entitled Smyrnaeorum Res Gestae et Antiquitates, was printed at Göttingen; and, unlike most Doctors' Dissertations, it became an authority on the subject of Smyrna. Karl Friedrich Hermann, in his elaborate work on Greek Antiquities, thus cites it: —

"G. M. Lane, Smyrnaeorum res gestae et antiquitates, Gött. 1851, welche fleissige Arbeit überhaupt alle sonstigen Nachweisungen über diese Stadt unnöthig macht."[1]

This still stands in the latest revised edition of the work, published in 1874, nineteen years after Hermann's death.

An interesting testimony to the high estimation in which Lane and Gildersleeve were held in Göttingen is found in Professor Schneidewin's Preface to his edition of the two newly-discovered Orations of Hyperides: —

"Quae omnia fecerunt, ut ex longo tempore nullum diem laetiorem mihi videar egisse, quam eum quo praeclarum hoc Attici eloquii exemplum in manus sumere et plenis haustibus combibere licuit. Sciunt qui

[1] Lehrbuch der griechischen Staatsalterthümer, Heidelberg, 1855, § 76, p. 219.

illo die — is festi paschalis primus fuit — forte me convenerunt in opiparis dapibus luxuriantem, Herm. Lotzius, familiaris meus et γείτων ὁμότοιχος, atque B. L. Gildersleevius, Americanus, — cuius ego post discessum pari cum desiderio memini atque G. M. Lanii, civis sui, virorum iuvenum et candore animi praecellentium et ad ornandas in illo orbe litteras antiquitatis natorum."[1]

Lane returned to Harvard, in 1851, as Dr. Beck's successor in the University Professorship of Latin; Child returned at the same time as Professor of Rhetoric and Oratory. Josiah Parsons Cooke returned from Europe the same year as Erving Professor of Chemistry and Mineralogy. This accession to the teaching force inspired the College with new life. Still, it was long before any radical changes were made in the system of teaching or any decided advance was perceptible in scholarship. The College was still bound by its traditions, and no efforts to raise the standard of scholarship in special departments could have substantial success without infringing the vested rights of other departments or overworking many of the better scholars. To this is probably due the strange absence of any radical improvements in scholarship or in methods of teaching as the result of the accession of Everett, Ticknor, Bancroft, and Cogswell thirty years before. Ticknor tells the whole story when he writes, in 1823, —

"The most that an instructor now undertakes is to ascertain, from day to day, whether the young men assembled in his presence have probably studied the lesson prescribed to them. We are neither a University — which we call ourselves — nor a respectable High School, which we ought to be."[2]

It is evident that no "new German ideas" were welcomed at Cambridge by either professors or students. It is said that the students used to sing, "Thus we do in Germany" under Bancroft's windows in the College Yard. The chief result of the new spirit was the establishment of an Elective System of study in the later years of President Kirkland's administration, which failed to accomplish its purpose, partly from want of sympathy in the Faculty, but chiefly from want of money. It was then impossible to enlarge the various departments of study so that the right

[1] Hyperidis Orationes Duae, Gottingae, 1853, p. vii.

[2] *Cf.* Life, Letters, and Journals of George Ticknor, i. 358, 359.

to omit certain studies should be balanced by the power to pursue these same studies or others much further than was possible under a Required System. Without this principle, no Elective System can do anything to advance scholarship. As President Walker once asked, —

"Who supposes that the mere right of selection among a crowd of *elementary* studies will make a University?"

A true Elective System, distinctly recognizing and carrying out this essential principle, was first established in 1867; and the result of this has been a wonderful and unexpected enlargement of every department, with a corresponding raising of the standard of scholarship, and the establishment of new departments with many sub-divisions of old ones. After five years' experience, it was found necessary, in 1872, to establish a Graduate Department, afterwards enlarged into the present Graduate School, to make room for the ever-increasing expansion of the College studies. The Graduate School now has 322 students, of whom 46 are, or have been, professors or instructors in universities or colleges, besides many who have been masters of schools or directors of scientific institutions. The whole body of undergraduates — now 1851 — numbered 273 in 1848; 409 in 1858; and 529 in 1868. It would be too much to say that Lane was one of the promoters of the new Elective System, though he was one of the first to take advantage of its new opportunities for enlarging the scope and the influence of his own teaching. Sixteen years' experience in work which was chiefly required had dimmed his faith in new schemes, and he was content to leave to others the elaboration of plans for improvement. From 1851 to 1856 he had, like his predecessor, the whole instruction in Latin of the Sophomore, Junior, and Senior classes, including exercises in composition, entirely in his own hands; and after 1856, he had equally hard work with the two upper classes. The Elective System, after 1867, gave him ample opportunity to extend his instruction to new fields and to more advanced students. He was a "born teacher," and his methods needed merely expansion, not addition, to adapt them to new conditions. I quote an account of his power as a teacher from a notice in the Nation, written by Professor Morgan, who had been one of his most appreciative pupils: —

"As a teacher, Professor Lane had all that fine literary appreciation which characterizes the English school, combined, however, with the minute and exact knowledge of the Germans. Besides his never-failing good nature, he had two gifts which, perhaps more than any others, awoke the admiration of his undergraduate pupils — his prodigious memory and his great originality of thought. He seemed familiar with every literature, and apposite quotations from the most various sources, now drawn, maybe, from the New England Primer, and now from the greatest of the classics, were used to illuminate the passage under discussion. The atmosphere of his class-room was thus distinctly literary, and his teaching had none of that deadly dulness which is too often the product of German learning. It was seasoned, too, with his own peculiar wit, of which so many legends come rising to the mind of every Harvard man. But it never degenerated into literary twaddle, and nobody hated looseness of method and inexactness of statement more than he. To his originality many scholars scattered widely over the land can bear testimony, recalling that it was he who first showed them that there were things to be learned that were not to be found set down in any book — that he initiated them, in fact, into the modern methods of individual research, and taught them to seek the truth themselves. He rarely wasted time in putting questions which could be answered offhand; he never hesitated to suggest problems which nobody present, not even himself, could solve. He made it clear that there were vast untrodden fields on every side, and tempted his pupils on to exploration."[1]

Scrupulous accuracy, without affectation or pedantry, was, indeed, the great lesson of Lane's literary life, which he taught in every act both in and out of his professor's chair. His sparkling wit and his humorous view, even of the commonest things, made him a delightful social companion; and his unfailing kindness of heart endeared him to his large circle of friends, especially to those who had known sorrow and trouble. His early life as professor supplies many anecdotes and witticisms, which are now becoming legendary. We may mention one of his earliest jokes in the class-room, in which he called the attempt of the daughters of Pelias to rejuvenate their aged father by boiling him, according to the advice of Medea, "the first case of *par-boiling* on record." The social life at "Clover Den" (now No. 19 Follen Street, Cam-

[1] The Nation, No. 1671, 8 July, 1897, lxv. 28.

bridge), where Lane and Gould, with either Josiah D. Whitney or Winlock as a third, dispensed hospitality several years, and where the famous "Roman Banquet" was given, with a slave chained at the door, is now a part of the history of Cambridge. It is related that once, at a supper at "Clover Den," President Sparks highly approved of some excellent Rhine wine, the bottles of which bore the initials (H. U.) of a well-known wine merchant in Göttingen. These letters were explained, jocosely, to the President as "a delicate compliment to Harvard University." He made no comment at the time; but early the next morning he called at the "Den," praising the hospitality of his hosts and their Rhine wine, but gently suggesting that perhaps it would be more prudent to omit the letters H. U. for the future. At this time Lane wrote the now famous ballad of the "Lone Fishball," which was afterwards expanded into an Italian opera — "Il Pesceballo" — by Child, and performed, with great success and large profits, for the benefit of the Sanitary Commission in the War of the Rebellion. It is worth mentioning that Lane, in his later years, confessed that the account given by Professor Lovering, the reputed hero of the tale, of the adventure on which the fishball story was founded — that Lane himself was the real hero — was perfectly correct.

It is often regretted that a scholar possessed of such exhaustless stores of learning and of such an inimitable power of expression as Lane, should have published so little. Besides various articles in Reviews and newspapers, most of which were anonymous, and his Doctor's Dissertation, above-mentioned, he published only his pamphlet on Latin Pronunciation (1871); but this little work, in a few years, changed the pronunciation of Latin in nearly all the colleges and schools in the United States. It was especially regretted that he died without having published his Latin Grammar, to which he had devoted much of his time and study for thirty years, but which he had never felt quite ready to publish. Fortunately, about three quarters of the work proved to be ready for printing at his death, and the loving care and skill of his colleague, Professor Morgan, have supplied the remainder and published the whole.[1] This book of 572 closely printed pages is one of the most important linguistic works ever written by an American scholar, and is a lasting monument to the memory of

[1] A Latin Grammar for Schools and Colleges, New York and London, 1898.

its author. Its originality and wonderful clearness of expression, with its brilliant, and often witty, translations of passages from Latin authors, fully sustain the high reputation which Lane had gained as a scholar and teacher. But what he would not publish in his own name, he most generously gave to his friends to use in their own publications. We may mention especially his valuable work in revising the two Latin Dictionaries published by Harper and Brothers. In the Preface to the School Lexicon the editor, Dr. Charlton T. Lewis, says of Lane's relation to the work, —

"If it shall be found, within its prescribed limits, to have attained in any degree that fulness, that minute accuracy, and that correspondence with the ripest scholarship and the most perfect methods of instruction which are its aims, the result is largely due to his counsel and assistance." [1]

Lane held the University Professorship of Latin, to which he was elected in 1851, until the establishment of the Pope Professorship, in 1869, when he was transferred, without change of duties, to the new foundation. In 1894, being seventy years old, he resigned the active duties of his professorship, and was made Pope Professor of Latin, Emeritus. He held this position until his death, occasionally giving instruction to classes of advanced graduate students. At the Commencement of 1894, Harvard University conferred on him the honorary degree of Doctor of Laws. With the deaths of Professors Torrey, Cooke, Child, and Lane in less than four years (1893–1897), Harvard University parted from the last of her great teachers who had come down from the first half of the century.

Lane was married, in 1857, to Frances Eliza, daughter of Samuel Smith Gardiner of Shelter Island, New York, who died in 1876, leaving three children, — our associate, Gardiner Martin Lane, now of Boston, Louisa, wife of William Bayard Van Rensselaer of Albany, and Katherine Ward Lane, who died in 1893. In 1878, he married Mrs. Fanny (Bradford) Clark, who survives him. He was, for many years, a Fellow of the American Academy of Arts and Sciences; and was made a member of The Colonial Society of Massachusetts at its second Stated Meeting, held 15 February, 1893.

[1] A Latin Dictionary for Schools, New York, 1889, p. vi.

MARCH MEETING, 1899.

A STATED MEETING of the Society was held in the Hall of the American Academy of Arts and Sciences on Wednesday, 15 March, 1899, at three o'clock in the afternoon, the PRESIDENT in the chair.

After the Records of the last Meeting had been read and approved, the CORRESPONDING SECRETARY reported that letters had been received from Chief-Justice PETERS and the Hon. JOHN HOWLAND RICKETSON accepting Corresponding Membership, and from SAMUEL PIERPONT LANGLEY, D.C.L., accepting Honorary Membership.

Professor LANGLEY'S letter is as follows: —

SMITHSONIAN INSTITUTION,
WASHINGTON, U.S.A.,
March 9, 1899.

DEAR SIR, — I beg to acknowledge the receipt of the notification of my election to Honorary Membership in The Colonial Society of Massachusetts and, in accepting, to express my gratification at the honor the Society has done me.

Very respectfully yours,
S. P. LANGLEY.

JOHN NOBLE, Esq.
CORRESPONDING SECRETARY,
THE COLONIAL SOCIETY OF MASSACHUSETTS,
BOSTON.

The PRESIDENT announced the death, on the eleventh of March, of Dr. Henry P. Quincy, a Resident Member, and paid a warm tribute to his memory.

Mr. ANDREW MCFARLAND DAVIS then said: —

My acquaintance with Dr. Quincy is of recent birth. It does not, in fact, date back prior to his election to the Council of this

Society; yet in the three years of his faithful service in that body, I learned to love and respect him, and I cannot but feel that his simplicity of bearing, his uniform courtesy towards his associates, his constant consideration for the feelings, the comfort, and the convenience of others, and his absolute freedom from social conventionalisms were such sure indications of a guileless, transparent character, that I am justified in expressing an opinion of the man upon this occasion.

I had met Dr. Quincy's father, and I knew his brother Edmund when he was connected with the Lawrence Scientific School. While these facts did not materially influence our friendship, they prepared me for an appreciation of his many good qualities, and drew us into somewhat closer companionship from the start. The strong feelings of affection which existed between him and Dr. Gould would, in any event, have caused his fellow-members to receive him in the Council with a cordial welcome, but the charming nature of his personality soon secured for him a foothold in their good will based upon the more solid ground of personal achievement.

It did not seem to me that Dr. Quincy's tastes were such as would have led him, from any motive originating in himself, to engage in historical research. I do not mean by this to intimate that he was not interested in that branch of the work of the Society. His regular attendance at the meetings of the Council and the unfailing good will with which he performed the stated duties of the office, as well as the committee work which was put upon his shoulders, must be accepted as abundant evidence of his real concern for the welfare of the Society and the success of its work. It is my opinion, however, that the enthusiasm of his friend Dr. Gould in this regard, and the interest taken by his wife in the Massachusetts Society of Colonial Dames, are largely responsible for the zeal which he displayed in his work in our behalf. In this I find much that was typical of the man. His affectionate regard for those whom he loved led him to sympathize with affairs in which they were interested, and it was to this characteristic, I think, that we are indebted for the germination of a feeling which, under the influence of his surroundings, became as sound and vigorous in its growth as if it had sprung from an original taste for the matters which it ultimately embraced.

Dr. Quincy contributed to our Transactions[1] a Memoir of his friend Dr. Edward Wigglesworth. I was at that time the Chairman of the Committee of Publication, and when he handed his manuscript to me, he said, with a simplicity that was at once charming and characteristic: "Here is the Memoir. I am not much accustomed to work of this sort. Edit it, cut it to pieces, do anything to it that you think will improve it." The Memoir was so brief that I was at first inclined to be disappointed in it; but a careful consideration of its merits led me to the conclusion that it was not only thoroughly appreciative, but that it might almost stand as a model for others engaged in similar work.

During the time that has elapsed since our joint service in the Council, the occasions on which I have met Dr. Quincy have only tended to confirm the opinions which I then formed of his character. Always, the impression made upon me has been that here was one without guile who loved his fellow-men.

Bishop LAWRENCE paid this tribute to Dr. Quincy's memory: —

The first and the enduring impression of Dr. Quincy is that of a simple and charming personality. He was one of those men who throw a beam of light into the life of every one with whom they come in contact. Cheerful in disposition, genial in temperament, kindly, thoughtful, sympathetic with youth, and tender in his regard for old age, he gained the affection and confidence of a large number of people. He had the genius of friendship. The way in which a man is regarded by those of his own profession is often a severer test of character than the estimate of him in social life. Every physician and student who came under Dr. Quincy's instruction speaks of him with affection and regard. Though not a man of exceptional ability, he had the valuable trait of making the best of his natural powers. His enthusiasm for his work, as well as his interest in the young men of his classes, enforced by his own charming personality, made him an excellent instructor in the Department of Histology at the Harvard Medical School. His best work was in the use of the microscope and as an anatomical draughtsman. He had that regard for exactness, that sensitiveness

[1] Publications, iii. 348–350.

to form, artistic sensibility, and appreciation of shades of coloring, which enable a man to reveal to others by pencil and brush the wonders of the human frame. His work as a draughtsman is of permanent value, and specimens are preserved to-day in the Medical School and by different professors, not only as valuable contributions to medical science, but also as work of delicate and artistic execution.

Dr. Quincy had a simple and deep religious faith. His studies of the human body and into material things, so far from drawing him into a materialistic spirit, led him to a deeper reverence for his Heavenly Father. Born a Unitarian, later a member of King's Chapel, he was led into the Episcopal Church, and a few years ago was confirmed at Emmanuel Church, Boston. Dedham was his ancestral home, and one found Dr. Quincy at his best in the midst of his family life and domestic interests, in the beautiful old homestead backing upon the Charles River and overlooking the meadows. He became an officer of old St. Paul's Church in that county town, and to the citizens there represented everything that was finest in the courtesy, chivalry, public spirit, and high character that his name suggests. The influence of his life will long be felt in the Medical School and among the large circle of physicians and men of all callings who are better for having had the privilege of his friendship.

Mr. Henry H. Edes read the following paper on —

THE PLACES OF WORSHIP OF THE SANDEMANIANS IN BOSTON.

At the Stated Meeting of this Society in March of last year, Mr. Noble communicated a paper entitled Some Massachusetts Tories,[1] in which reference was made to two prominent members of the Sandemanian Society in Boston and to the destruction, by fire, of its first Meeting House. While Mr. Noble's paper was being prepared for the press, the question arose, Where did that building stand? As no one could give positive information upon this point, I undertook to investigate the matter, and the present paper embodies the result of the inquiry.

[1] Publications, v. 257–297.

Robert Sandeman arrived in Boston, from Glasgow, in the ship George and James on the eighteenth of October, 1764. Of his movements and doings in New England and New York during the first two years of his residence in America, we get a glimpse in the newspapers of that day. The Boston Gazette of Monday, 10 December, 1764 (No. 506, page 3/1), contains the following item: —

"NEWPORT, December 3.

The celebrated Mr. Sandiman came to Town last Wednesday from the Eastward, and on Sunday preached two Sermons in the Sabbatarian Church."

In New York the preacher's audience was large but not sympathetic, if the account which appeared in the Supplement to the Boston Gazette of Monday, 4 March, 1765 (page 2/1), be true: —

"NEW YORK, February 25.

Since our last Mr. Sanddaman came to Town from Boston, and on Wednesday Evening at the *New Play-House* he advanced Something to a larger Audience than the Place ever before was crowded with, from the 17th Chapter of St. Luke the 20th, 21st, 22d, 23d, 24th, and 25th Verses: — He has not held forth since in Public, nor have we yet heard when he intends it, the Usage this Itinerant met with in so refined a Place for the Idle and Wandering having given him little Encouragement to attempt the *Hum bugging* any sensible Auditory, for a too free Construction of any Part of the Divine Oracle."

Sandeman, however, had valiant champions, and in its issue of the following week (Monday, 11 March, No. 519, p. 3/2) the Gazette printed a letter, signed Z. A., in vindication of the new comer "from those Scurrilous Aspersions which have formerly or more lately been thrown upon him" and containing an extract from his Letters on Theron and Aspasio.

The Massachusetts Gazette tells of the rough treatment Sandeman received in New Hampshire. In its issue of Thursday, 15 May, 1766 (page 2/1), is an extract from a London newspaper giving an extract from a letter dated Portsmouth, New Hampshire, 14 December, 1764, in which it is said that the mob broke the windows of Mr. Sandeman's meeting-house; that Sandeman was told to leave town in four days or worse would follow; and that he had prudently departed the town. Then, the London editor adds the following: —

"Mr. Sandiman is brother-in-law to the late unfortunate Capt. Glass.[1] He is well known to the Dissenters in this city, by having established a new set of them a few years ago, and who now meet in Glover's Hall, Beech lane. He is known by being the author of a book entitled, Letters on Theron and Aspasio."

The Massachusetts Gazette of Thursday, 18 September, 1766 (No. 3285, page 2/1), contains a communication on Sandeman's religious belief which refers to an article in the Boston Gazette. The next issue of the Massachusetts Gazette (25 September, 1766, No. 3286, page 2/3), contains another communication from the same writer, showing that Sandeman's advent here had not been unnoticed by the community. Three years later, the Boston Evening-Post of 27 November, 1769 (No. 1783, page 1/1,2), contained a long letter addressed to Mr. Colborn Barrell referring to "your long vindicatory letter," and dealing with Sandeman and his views. On the eleventh of December following, the Post (No. 1785, page 2/1, 2) printed another letter addressed to Barrell signed Protestant; and in the issue of the eighteenth of December (No. 1786, page 1/2,3) still another letter to Barrell from the same writer appears in which Sandeman is again the subject of discussion, while "A Quaker" also addresses "Friend Coleborn Barrell" upon the same theme (page 3/1).

After organizing a Society here, Sandeman removed to Danbury, Connecticut, where he died.[2] The Boston Gazette of Monday, 3 August, 1772 (No. 904, page 1/2), contains the following announcement: —

"BOSTON, August 3.

A Monument has been cut in this Town by Mr. Henry Christian Geyer,[3] Stone-cutter at the South End, to be sent to Connecticut; it is

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[1] A notice of George Glas is in the Dictionary of National Biography, xxi, 415–417.

[2] The Massachusetts Gazette of Thursday, 11 April, 1771 (No. 3523, p. 3/1), contains the following notice: —

"NEW-HAVEN, April 5. . . . . A few days since died at Danbury Mr. ROBERT SANDEMAN."

[3] In 1766, Geyer presented to the Town an account amounting to £173. 4. 1 for repairs on Faneuil Hall (Boston Record Commissioners' Reports, xvi. 171).

The Massachusetts Centinel of Wednesday, 7 December, 1785 (iv. 23, p. 3/2), contains the following notice of Mr. Geyer's death: —

"Last Sunday morning, after a lingering illness, departed this life, Mr. Henry Chris-

executed in the Composit Order with twisted Pillars, and the other proper Ornaments, having a Cherub's Head on Wings, and the following Label from his Mouth, Rev. XIV. 6, 7.

"*On the Tomb-Stone is this Inscription.*[1]

Here lies
Until the Resurrection,
The Body of
ROBERT SANDEMAN,
A Native of Perth, North-Britain,
Who in the Face of continual Opposition
From all Sorts of Men
Long and boldly contended
For the ancient Faith;
That the bare Work of JESUS CHRIST,
Without a Deed, or Thought, on the Part of Man,
Is sufficient to present
The chief of Sinners
Spotless before GOD:
To declare this blessed Truth
As testified in the Holy Scriptures
He left his Country — he left his Friends,
And after much patient Suffering
Finished his Labours
At DANBURY,
2d of April 1771,
Aged 53 Years.

Deign'd CHRIST to come so nigh to us
As not to count it Shame
To call us Brethren — Shall we blush
At aught that bears his Name.

Nay, let us boast in his Reproach
And glory in his Cross,
When He appears, one Smile from Him
Shall far o'erpay our Loss."

---

tian Guyer, an eminent Stone-cutter in this town, aged 58, of whom it may be said in a few words, he was a good Christian, a friend to America, and an honest man; his remains will be interred from his dwelling-house near the Rev. Mr. Wight's Meeting-House this afternoon, precisely at 4 o'clock, at which time his relations, and friends are requested to attend."

[1] *Cf.* 1 Massachusetts Historical Collections, x. 71.

Sandeman's new doctrines "rejected belief in the necessity of spiritual conversion, representing faith as an operation of the intellect, and speculative belief as quite sufficient to insure final justification."[1] Among the practices peculiar to this Sect were the weekly observance of the Lord's Supper and the washing of one another's feet. They also discountenanced proselyting. Some of the heads of families belonging to the Sandemanian Society here were: — Edward Foster, Alford Butler, George Oglevie (or Ogilvie), Edward King, Henry Capen, Adam Chizeau,[2] Ebenezer Allen, Barnabas Allen, Hopestill Capen,[3] Benjamin Davis,[4] Isaac Winslow,[5] Colborn Barrell,[6] Walter Barrell,[7] Mr. Peck,[8] Hannah

[1] Delano A. Goddard, in Memorial History of Boston, iii. 129, 130. In a letter received from Dr. Edward Everett Hale since this paper was written, he says of the Sandemanians: —

They were pure rationalists. As far as you can understand anything of what distinguished them in belief, it was the postulate that a man must *understand* what he is talking about. The miracle of Grace, or of union with God, is not wrought without the intelligent cooperation of God's child.

I think, but I do not know, that they carried such heavy guns that the regular Boston preachers did not interfere with them. Methodists would not have liked them, but the old Boston line in that time was too far gone in rationalism to care to attack them.

[2] This name appears as "Dechezzan, Adam," in Barrell's List of Refugees in 1 Proceedings of the Massachusetts Historical Society for December, 1880, xviii. 266–268, which also contains the names of other Sandemanians. He was married by the Rev. Andrew Le Mercier to Susanna Cosno, 28 January, 1730 (Boston Record Commissioners' Reports, xxviii. 153).

[3] For notices of Hopestill Capen, see *ante*, v. 270, 271, 297, 298.

[4] For a notice of Benjamin Davis, see *post*, pp. 124–127.

[5] For a note on Isaac Winslow, Senior and Junior, see *post*, pp. 127–130.

[6] There are several references to Colborn Barrell in the Letters of John Andrews printed in 1 Proceedings of the Massachusetts Historical Society for July, 1865, viii. 318, 335, 374 and 375. He was of the Boston Latin School Class of 1744. His portrait was painted by Copley.

[7] Walter Barrell was Inspector-General of the Customs at Boston. In March, 1776, he and his family left Boston with the British troops (1 Proceedings of the Massachusetts Historical Society for December, 1880, xviii. 266). "In 1779, he was a member of the Loyalist association formed in London" (Sabine's Loyalists, i. 211).

[8] This, probably, was Moses Peck, watchmaker, who died in Boston, 27 March, 1801, aged 83. He married, 17 January, 1758, Elizabeth Townsend, born 18 December, 1729, — a younger sister of Shippie Townsend (*post*, pp. 116, 122). She died in Boston 26 June, 1793, aged 62 (Wyman's Genealogies and Estates of Charlestown, ii. 734, 949; and Boston Record Commissioners' Reports, xxx. 27, 289).

Robinson, Susanna Davies, Mary Cotton, Mary West, Keziah West,[1] Mrs. Stayner,[2] and Daniel Humphreys. Joseph Howe and Samuel Harris and his wife joined the Society at a later date.[3] Isaac Winslow, Junior,[4] was another and prominent member of the Society, in which there were persons of high social and political standing.

Snow thus describes the beginning of this Society, and its first Meeting House: —

"'They first met in a large room at Mr. [Edward] Foster's house in that part of Prince St. called Black Horse lane, but as much attention was excited, they removed to the Long Room at the Green Dragon. They soon built a house at the bottom of a lane leading to the mill pond, somewhere between the two Baptist meeting houses. It was erected for the sole purpose of a meeting house, by assistance from many friends.' This house was burnt in a fire which happened on Sunday, April 4, 1773, at 4 o'clock P. M. in a building belonging to Mr. Alexander Edwards, cabinet-maker, and in a short time extended to several other shops and sheds in the neighborhood. The spot has since been occupied as a bake-shop, and is now within the premises of Mr. Joseph Veazie. Engine house, No. 3, stands at the head of the passage way."[5]

The destruction of this building is recorded in the Diary of Thomas Newell, under date of 4 April, 1773, when he notes that the wind was from the east: —

"Sunday, pleasant; fair. P. M. fire broke out in Back Street. Consumed Sandeman's meeting-house, Edwards's shop, Kittell's barn, &c."[6]

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[1] For the parentage of Mary and Keziah West, see note on John West, *post*, p. 122.

[2] This may have been Abigail Stayner, whose name appears in Barrell's List (1 Proceedings of the Massachusetts Historical Society for December, 1880, xviii. 268). See New England Historical and Genealogical Register for 1865, xix. 321.

[3] Snow's History of Boston (edition of 1825), p. 256; and Drake's History and Antiquities of Boston, pp. 686, 687. Several of these persons were Protesters against the Solemn League and Covenant (1 Proceedings of the Massachusetts Historical Society for October, 1870, xi. 394, 395).

[4] For a note on Isaac Winslow, Senior and Junior, see *post*, 127–130.

[5] History of Boston (edition of 1825), pp. 256, 257. *Cf.* Memorial History of Boston, ii. 245, 246.

[6] 1 Proceedings of the Massachusetts Historical Society for October, 1877, xv. 337. *Cf.* Suffolk Probate Files, No. 9826, — Benjamin Edwards, 1751, — the father of Alexander Edwards, cabinet-maker, referred to in the text.

The Boston Gazette of Monday, 5 April, 1773 (No. 939, page 3/1), thus refers to the event: —

"Yesterday Afternoon a Fire broke out in Back Street, which consumed 5 or 6 Shops, besides Mr. Sandiman's Meeting House before it was got under."

The Massachusetts Gazette of Thursday, 8 April, 1773 (No. 3627, page 3/1), contains the following account of the fire: —

"BOSTON, *April* 8. 1773.

Laſt Lord's Day Afternoon, about 5 o'Clock, a Fire broke out in a Building belonging to Mr. Alexander Edwards, Cabinet-Maker, at the North Part of the Town, which was almost wholly in Flames as ſoon as diſcovered, and the ſame in a very ſhort Time conſumed, together with his Work Shop, ſeveral Stores, Barns, Sheds, &c. and a large Quantity of Mahogany and other Stock, with a Number of Articles of Furniture which were finiſhed for Sale; the Fire likewiſe communicated with the Sandemanian Meeting Houſe, that was near adjoining, which was alſo entirely deſtroyed; and it was owing to the alertneſs of the Inhabitants, and the constant Supply of the Engines with Water from the Mill-Pond, that many other Wooden Buildings, which were in imminent Danger, were prevented ſharing the ſame Fate. — The Engine from Charleſtown, eſteemed the beſt in America, with a Number of People from that Town, with their uſual Activity, came over very expeditiouſly to aſſiſt at the Fire, and were very ſerviceable. Mr. Edwards's Loſs is ſaid to be very great."[1]

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[1] In the Boston Gazette of Monday, 12 April, 1773 (No. 940, pp. 3/2, 3/3 and 4/2) are the following Cards, which are of interest: —

I.

"JOSEPH KETTELL takes this Method to return his hearty Thanks to his Friends and Fellow Citizens, and to the Town of Charlestown, for their extraordinary Kindness and Activity at the late Fire, and shall ever esteem himself their much obliged humble Servant."

II.

"Messieurs. PRINTERS.

Mr. Edwards begs leave to inform the Publick through the Channel of your Paper, that the late Fire broke out in a Store 40 Feet above his Shop, which consumed his two Warehouses with all his Stock and Tools to the amount of 600 l. Sterling.

As he is very suspicious that those Buildings were set on Fire by some Ill-minded Person or Persons, he now promises a Reward of TEN POUNDS L.M. to any who shall give Information of the perpetrators of so Wicked a Deed, in order that they may be brought to Justice: And takes this opportunity to return his most sincere and hearty Thanks to his Friends and the Publick for their kind assistance and peculiar mark of Friendship."

Deprived of their Meeting House, the Society turned to the Selectmen of the Town for aid in providing a temporary shelter. At a meeting of the Board held on the following Thursday, — 7 April, 1773 —

"Mr. Foster and Capen two Persons of the Sect called Sandemanians attended and acquainted the Selectmen that they had lately lost their House of Worship by Fire — and therefore praying that they might have the use of the North Lattin School upon Sabbaths — Liberty was accordingly granted, that for the present they might have the use of said School on the Sabbaths, untill they could provide themselves with another Place of Worship — they paying all damages the School may receive by their use of it which they agreed to."[1]

Dr. Snow thus speaks of the subsequent career of the Society: —

"The Sandemanian society afterwards convened at Mr. [Shippie] Townsend's in Cross-st. They subsequently built a house in the rear of Middle-street, where they met till within two years, [i. e. 1823] when the attendance became so thin as to occasion the discontinuance of their meetings. A primary school is now kept in the same building."[2]

As only such vague descriptions as I have quoted of the location of the two Meeting Houses of the Sandemanians were to be found in print, a careful search of the public records was undertaken to ascertain the sites with precision. The result is embodied in the accompanying Plans,[3] by which it appears that the First house of worship stood at the foot of a lane which has since been widened and is now Carroll Place, and the Second at the foot of what is now Parkman Place. The dotted lines in the

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III.

"*Lost at the Fire on the 4th Instant, a Leather Bucket, mark'd* F. Green, *No.* 2. *Whoever can, are requested to inform where the same may be found.*"

IV.

"The Person who received a very large CHINA BOWL from Capt. Barrett's House, in Friend-Street, during the late Fire in that Neighbourhood, shall be handsomely Treated if he will return it, or Prosecuted if he does not."

Similar Cards appeared in the Supplement to the Massachusetts Gazette of Friday, 16 April, 1773.

[1] Boston Record Commissioners' Reports, xxiii. 171.

[2] History of Boston (edition of 1825), p. 257.

[3] These plans were drawn by Mr. Louis Packard Streeter of Boston who has since removed to New York City.

larger Plan indicate present street lines through the lots contiguous to the site of the first Meeting House. By comparing these Plans with Dr. Snow's description of the vaguely-located lots, and with the descriptions in the deeds to which I am about to refer, the accuracy of the Plans will be fully demonstrated.[1]

The site of the first Meeting House belonged to James McMillian, of Boston, cabinet-maker, at the time of his decease, in 1769.[2] Ann McMillian, his widow and the administratrix of his estate,[3] reciting license from the Superiour Court of Judicature, 15 March, 1769, for £110, conveyed, 21 June, 1769, to Edward Foster, blacksmith, and David Mitchelson, seal-engraver,[4] both of Boston, a parcel of land in or near Back Street bounded easterly, partly by land "this day sold to Joseph Kettle"[5] and partly by the passageway hereinafter mentioned, 31 feet; southerly by land of Alexander Edwards, 56 feet; westerly by the Mill Pond, 31 feet; and northerly by land of John Proctor, deceased, 56 feet; "together with the edefices and buildings thereon standing" and rights in "a four-foot passageway next to the said Proctor's land leading from said Back Street down to the granted land."[6] What these "edefices and buildings" were does not appear. Possibly the Meeting House was built before the fee of the land passed to Foster and Mitchelson. This must have been the case if the statement in print be true that it was erected in 1765;[7] but it is more probable that the Meeting House was raised immediately after the land was purchased of the McMillian estate. Shurtleff says: —

"Probably the location of the First and Second Baptist meeting-houses, upon its [the Mill Pond's] southeastern border, was selected for

---

[1] Since this paper was written, I have discovered that the site of the second Meeting House is marked on Osgood Carleton's Plan of Boston, 1795, which appeared in the Directory for 1796. The key to the Plan, however, does not explain the mark.

[2] Suffolk Probate Files, No. 14,416.

[3] See Copp's Hill Epitaphs and Records of the New North Church, Boston, for facts concerning this family.

[4] Mitchelson is elsewhere styled "lapidary" (1 Proceedings of the Massachusetts Historical Society for October, 1870, xi. 393). He was a Refugee from Boston in 1776 (*Ibid.* for December, 1880, xviii. 267).

[5] Suffolk Deeds, cxvi. 37. [6] *Ibid.* cxx. 15.

[7] Delano A. Goddard, in Memorial History of Boston, iii. 129.

the convenience of using the water of the pond for baptismal purposes, as was formerly done, when the water was next to their rear."[1]

In view of some of the peculiar tenets of the Sandemanians these remarks apply with equal force to the probable reason for the selection of the site of their first Meeting House. Hales's Map of Boston (1814) shows the projection of the two Baptist Meeting Houses over the edge of the Mill Pond as they appear in the accompanying large Plan.[2]

Foster and Mitchelson, for £80, conveyed the site of the first Meeting House to Joseph Kettle of Boston, baker, 28 April, 1773, — within a month after the building was burned.[3] Kettle thus became seized of the whole estate, which his heirs sold, 5 January, 1820, to Joseph Veazie, of Boston, baker.[4] It then had a frontage on Back Street (including the four-foot passageway or lane) of 31½ feet and a depth, from Back Street to the Mill Pond, of 223 feet.[5]

Three days after Foster had sold his interest in the Mill Pond property, we find him, with new associates, taking title to the site of the second Meeting House of the Sandemanians. This property was a part of the realty of which Nathaniel Loring, of Boston, merchant, died seized, in 1770.[6] Benjamin Dolbeare, of Boston, merchant, as administrator of the estate, reciting license from the Superiour Court of Judicature, in August, 1772, for £122, lawful money, sold to Colborn Barrell, merchant, Edward Foster, blacksmith, Benjamin Davis, merchant, Edward King, wharfinger, and Isaac Winslow, Junior, merchant, all of Boston, the lot shown on the accompanying (smaller) Plan which gives the metes as stated in the deed, dated 1 May, 1773.[7] This build-

[1] Topographical and Historical Description of Boston (1891), p. 109.

[2] See Maps of the Street-Lines of Boston, made for the Selectmen in 1819 and 1820 by John Groves Hales (1894), p. 255.

[3] Suffolk Deeds, cxxiv. 93.

[4] *Ibid.* cclxvi. 132, 133.

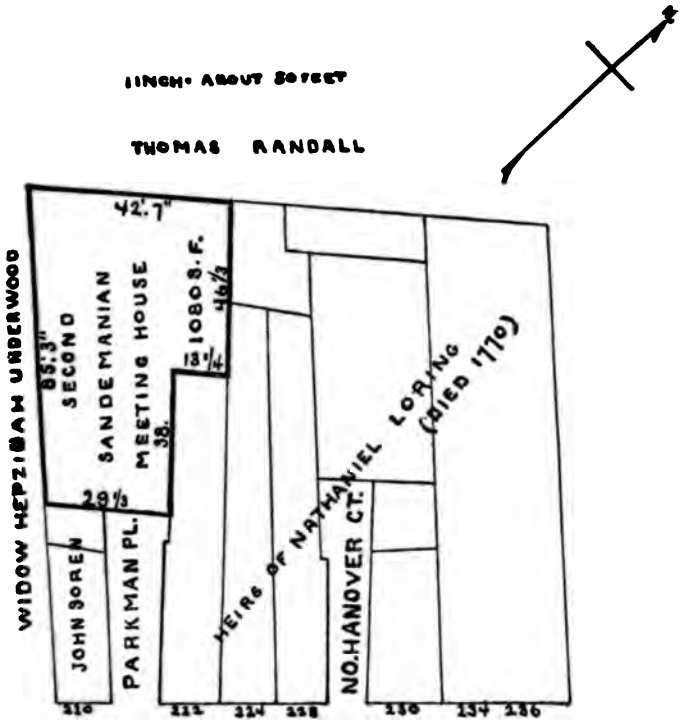
[5] *Cf.* Plans in Suffolk Deeds, ccxxx. 305, cclxxxviii. 27, cclxxxix. 288, ccxcv. 284, and cccxxxvii. 305. See also Shaw's Topographical and Historical Description of Boston (1817), p. 267, *note*.

[6] Suffolk Probate Files, No. 14.716. See also New England Historical and Genealogical Register for 1865, xix. 231, 232.

[7] Suffolk Deeds, cxxiii. 251, 252. *Cf.* Isaac Winslow's additional Inventory, taken 15 August, 1797 (recorded Suffolk Probate Records, xcv. 414, 415), in Suffolk Probate Files, No. 20,095; and Suffolk Deeds, cxxiii. 36, and cxxv. 135.

1 INCH = ABOUT 50 FEET

THOMAS RANDALL



MIDDLE (NOW HANOVER) ST

DRAWN BY
LOUIS PACKARD STREETER
FROM DATA FURNISHED BY
HENRY HERBERT EDES
1899

ing was used on week days for school purposes as early as 1785 when, on the fifth of October, the Selectmen appointed "a Committee to treat with Mr [Isaac] Winslow respecting a School-house lately improved by Mr Dupe[1] known by the Name of Sandemons Meeting house."[2] On the ninth of November, the Committee reported that they had rented the building and thus "provided a School for Master Cheney;" and that the key "was received the 7th inst."[3] In 1786, Cheney had more than a hundred pupils.[4] Samuel Cheney, who was also a physician, and a Harvard graduate of 1767,[5] continued to occupy the building till 21 April, 1790, when the key was returned to Mr. Winslow.[6] Cheney had previously been in charge of the South Writing School, in Pleasant Street, and the subject of some controversy.[7] The building is thus described in the United States Direct Tax List of 1798: —

"Ward 4, Boston. William Croswell, occupant; Hopstill Capen, Agent, owner. A House, Middle Street, used as Meeting House for a Society called Sandemonians. 1080 square feet."[8]

Capen had bought Isaac Winslow's undivided fifth of the estate on the eighth of November, 1797.[9]

In 1817, the Sandemanian Society had become reduced to six persons and its early extinction was expected.[10] Alford Butler, who died in Boston, 23 March, 1828, at the age of ninety[11] is said to have been the last survivor.[12] The Meeting House at the foot

[1] This, doubtless, was Elias Dupee (Memorial History of Boston, iii. 160). See also New England Historical and Genealogical Register for 1864, xviii. 339; and Suffolk Probate Files, No. 18,647.

[2] Boston Record Commissioners' Reports, xxv. 282.

[3] *Ibid.* xxv. 285. [4] *Ibid.* xxv. 318.

[5] I am indebted to the Honorable Samuel Abbott Green, LL.D., for this identification, drawn from the manuscripts of the late John Langdon Sibley.

[6] Boston Record Commissioners' Reports, xxvii. 116.

[7] *Ibid.* xxv. 251, 256, 264, 266, 267, 278 and 283. See also *Ibid.* xxvii. 101, 191 and *passim.*

[8] *Ibid.* xxii. 12.

[9] Suffolk Deeds, clxxxix. 40, 41.

[10] Shaw's Topographical and Historical Description of Boston, p. 267.

[11] Boston City Records.

[12] Drake's History and Antiquities of Boston, p. 687, which, however, gives the name, age, and date erroneously. He was born in Boston, 19 October,

of Parkman Place was subsequently occupied as a Primary School; and as late as 1835 the City of Boston leased the property for ten years for the accommodation of two of the public schools.[1]

Having fixed with precision the sites of the two Meeting Houses of the Sandemanians, let me note, in closing, the location of those public and private buildings where this company of Christians met before they had a religious home of their own and during the interval between the destruction of their first Meeting House and the completion of their last place of worship.

Edward Foster, at whose house the Society first met, was, as we have seen, a blacksmith, and evidently a pillar in the new organization. He also appears to have been a man of substance and active in the prudential affairs of the Society. Ten years before Sandeman's arrival in Boston, Foster had purchased, 23 March, 1754, of John Erving an estate on the southwesterly side of Black Horse Lane and had made it his homestead. The lot had a frontage of 42 feet and a depth of 108 feet and is now numbered 46 to 52 in Prince Street. It includes Salter Place, which intersects it. A portion of the rear of the lot is now within the limits of the yard of the Hancock School.[2]

Foster was a Tory, like most of the Sandemanians,[3] and an

1739, the son of Alford and Elizabeth (Robinson) Butler (Boston Record Commissioners' Reports, xxiv. 235; xxviii. 195). He is thought to have been of the Boston Latin School Class of 1748 (Catalogue, 1886, p. 69 and *note*). See note on the West family, *post*, p. 122.

[1] Suffolk Deeds, ccccxvi. 198. [2] *Ibid.* lxxxv. 90.

[3] The following List of persons known to have been Sandemanians who were also Addressers of Hutchinson and of Gage has been furnished by our associate, Mr. Albert Matthews, who is preparing entirely new Lists of the Addressers from original sources. I am also indebted to Mr. Matthews for other valuable facts used in this paper: —

Barrell, Colborn:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774.
Capen, Hopestill:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774.
Davis, Benjamin:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774, Gage, 6 October, 1775.
Foster, Edward:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774.
King, Edward:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774.
Mitchelson, David:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774.
Winslow, Isaac:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774, Gage, 6 October, 1775.
Winslow, Isaac, Jr.:	Hutchinson, 28 May, 1774;	Gage, 8 June, 1774, Gage, 6 October, 1775.

Absentee. His property was confiscated. The realty comprised the lot just described and another at the corner of Middle (now Hanover) Street and Bear Lane, now known as Parmenter Street.[1] Sabine says that he settled in Dartmouth, Nova Scotia, there managed large iron works, and died in 1786, leaving thirteen children.[2]

The location of the Green Dragon Tavern — in the Long Room of which the Sandemanians met for a short time — in Green Dragon Lane, now Union Street, is too well known to need description.

The "North Lattin School" occupied the site of the present Eliot School, on the north-easterly side of North Bennet Street. That building was given to the Town, in 1711–12, by the father of Governor Hutchinson. Under date of the eleventh of March we find this vote in the Town Records: —

"*Voted.* Thanks to Capt Thom^{s} Hutchinson for so much as he hath Offered at his own Charge to build a School House at the North end of ye Town."[3]

In the Record of the Town Meeting held on the fourteenth of May, 1712, are these entries: —

"Whereas the Comittee appointed the 11th of March Last to enquire after a piece of Land at the North end of this Town Sutable to Sett a School House on. Have now Signified to this meeting that they have made Dilligent Enquiry in that matter, and have at length pitched on a peice of Land belonging to m^{rs} Susanna Love of ab^{t} fifty one foot in breadth & ab^{t} one hundred feet in length abutting one end thereof. On Bennet Street, and the other end on Love [now Tileston] Street, and that the Same may be purchased for Ab^{t} one hundred fifty three pounds, that Land being more then enough for the Setting a School-house on the wch they Recommend to the Town as the most Sutable place wch they Can procure for that use.

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[1] Suffolk Probate Files, No. 15.912; and 2 Proceedings of the Massachusetts Historical Society for May, 1895, x. 164, 172, 173.

[2] Biographical Sketches of Loyalists of the American Revolution (1864), i. 432. See also 1 Proceedings of the Massachusetts Historical Society for December, 1880, xviii. 266; Boston Record Commissioners' Reports, xxviii. 211, 245; New England Historical and Genealogical Register for 1865, xix. 340; and Records of the New South Church.

[3] Boston Record Commissioners' Reports, viii. 90.

"*Voted.* That the S^d^ Comittee be impowered to purchace the afore said parcell of Land, to be paid for out of the Town Treasury: And that the Select men to gether with the Said Comittee be impowered to Allot So much of ye S^d^ Land for the S^d^ School House as they shall judg meet and Convenient."[1]

Shippie Townsend was born in Charlestown, 16 November, 1722, the son of David and Mabel (Shippie) Townsend and, like his father, was a blockmaker.[2] He removed to Boston in or about 1746, and, 23 September, 1757, purchased of Sanderson Houghton of Bolton, in the County of Worcester, yeoman, and the heirs of John West of Boston, the estate on the north-easterly side of Cross Street which is the last to be described in connection with the present inquiry. It had a frontage on Cross Street of 31 feet and 2 inches and a depth of 31 feet, the easterly boundary of the lot being 24 feet and 2½ inches west from Middle (now Hanover) Street before that thoroughfare was widened.[3] The estate is now numbered 74 and 76 in Cross Street. The accompanying Plan shows that Townsend subsequently (in 1790) purchased from William Dawes, Junior, of Boston, leather-dresser, the adjoining estate on the east which he sold, the following year, to his son Dr. David Townsend (H. C. 1770).[4] Both these lots, with two others contiguous on the west, were formerly owned by Robert Sanderson, from whom they passed to his descendants, the Wests[5]

[1] Boston Record Commissioners' Reports, viii. 91, 92. *Cf. Ibid.* viii. 118, 119, 132.

[2] Wyman's Genealogies and Estates of Charlestown, ii. 864, 949.

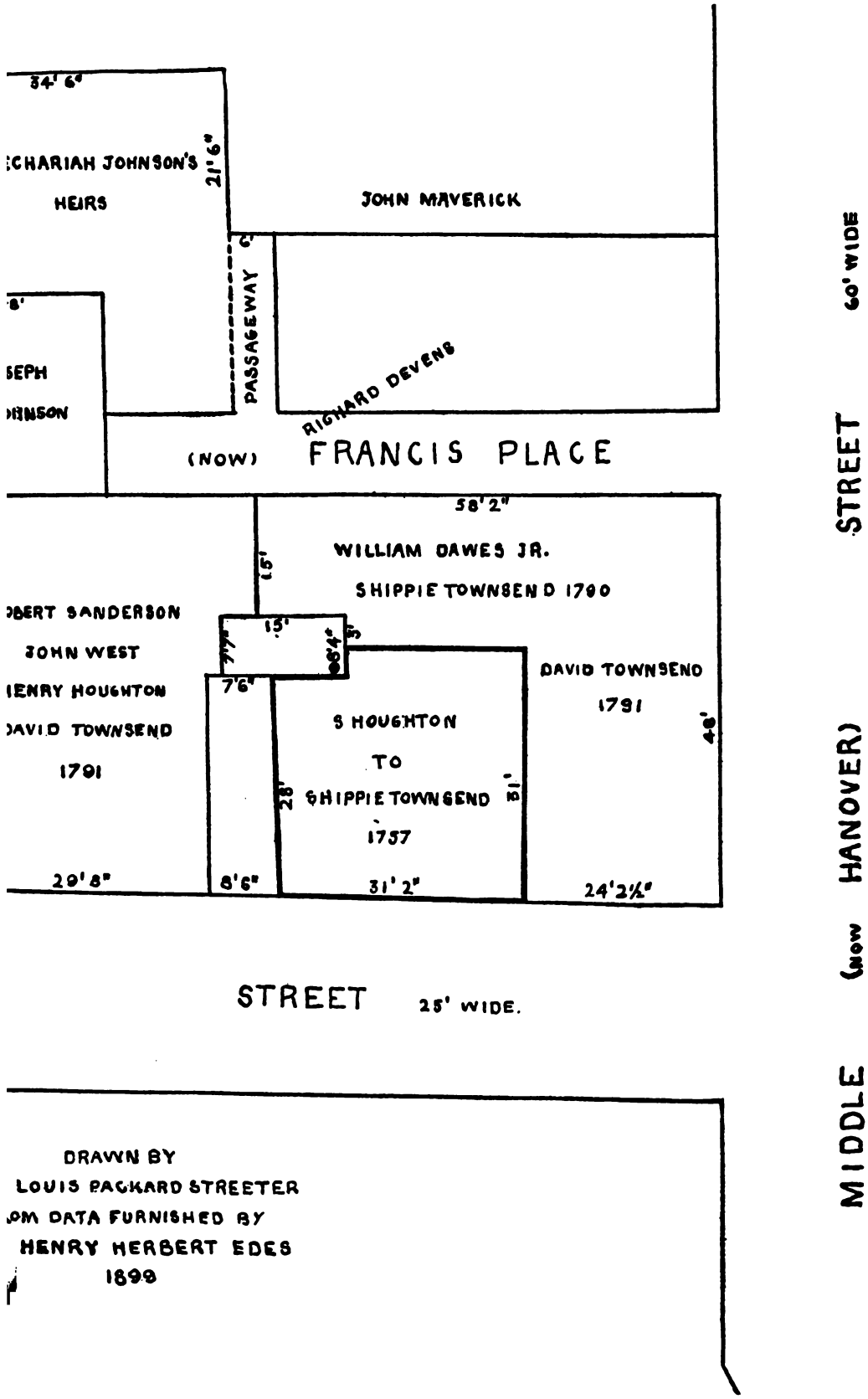
[3] Suffolk Deeds, xc. 235, 237, 238.

[4] *Ibid.* clxviii. 120; clxxi. 26.

[5] I am indebted to our associate, Mr. Henry Winchester Cunningham, for the following note:—

John West of Boston, housewright, was born in Boston 26 March, 1697. He was the oldest child of Richard West and his wife Anna, daughter of Robert Sanderson, goldsmith, and at one time partner of John Hull, the Mint Master. He was married at Yarmouth, 26 April, 1720, to Mary daughter of Samuel and Keziah (Taylor) Eldredge, by whom he had nine children, the births of the last seven being recorded in Boston:—

(i) John; (ii) Sanderson, married in Boston, 7 November, 1746, to Mary Avery; (iii) Anna, born 25 November, 1726, married in Boston, 27 October, 1747, to Ephraim Green; (iv) Mary, born 4 July, 1729, died in September, 1730, aged 14 months; (v) Mary, born 7 June, 1731; (vi) Keziah, born 3 February, 1732, married in Boston, 20 January, 1771, to Alexander Linklester; (vii) Eunice, born 2 December, 1734, married (Intentions recorded 27 January, 1763) to Alford Butler; (viii) David, born 9 May, 1736; and (ix) David, born 25 August, 1737, married, 3 May, 1761, to Sarah Presbury.


34' 6"
ZCHARIAH JOHNSON'S
HEIRS
21' 6"
JOHN MAVERICK
PASSAGEWAY
RICHARD DEVENS
SEPH
OHNSON
(NOW) FRANCIS PLACE
58' 2"
WILLIAM DAWES JR.
SHIPPIE TOWNSEND 1790
15'
OBERT SANDERSON
JOHN WEST
HENRY HOUGHTON
DAVID TOWNSEND
1791
7'6"
S HOUGHTON
TO
SHIPPIE TOWNSEND
1757
DAVID TOWNSEND
1791
48'
28'
31'
29' 8"
8' 6"
31' 2"
24' 2½"
STREET 25' WIDE.
MIDDLE (NOW HANOVER) STREET 60' WIDE
DRAWN BY
LOUIS PACKARD STREETER
FROM DATA FURNISHED BY
HENRY HERBERT EDES
1899

and the Houghtons. This holding, a fine rectangular lot, had a frontage of about ninety feet on Cross Street and a uniform depth of forty-eight feet.

The remaining frontage (60 feet 8 inches) on the northerly side of Cross Street, between Hanover and Salem Streets, was long owned by Dr. Thomas Greaves of Charlestown and his heirs by whom it was sold, in 1749, to Thaddeus Mason.[1] This lot, as shown on one of the accompanying Plans, had a depth of about 103 feet.

At some future meeting of the Society, I hope that some of our associates will tell us something of the Sandemanians and their church polity, — whether it was Presbyterian or Congregational; whether they had settled ministers and, if they had, who these were; and whether any Records or Registers of the Society in Boston were kept and, if they were, whether they are still extant and in whose custody they now are.

In 1725, John West bought the interest of the other heirs of his grandfather Sanderson in "a tenement near the Mill bridge" and "a tenement on Middle Street" (Suffolk Deeds, xli. 3). On the first of October, 1740, he made his will, in which he said he was about to set out for Virginia, and there he may have died, as his widow administered his estate on the twentieth of March, 1741–42 (Suffolk Probate Files, No. 7717).

The West family do not appear to have been Loyalists, like so many of the Sandemanians, and, so far as I know, they were all Patriots. David, the youngest son, is said to have died at sea, in 1779, while serving in some official capacity on an American privateer. His son David, Jr., was the well-known bookseller, who at one time had a store in Washington Street on land now covered by a part of the Sears Building; and, later, he was a partner of Lemuel Blake. David West, Jr., was twice married, (1) to Hannah Watts, by whom he had one child, David, who died unmarried; and (2) to Abigail, daughter of Zephaniah Leonard of Raynham (Yale 1758), who was Lieutenant-Colonel of the Bristol County Regiment during the Revolution. By this marriage he had one daughter, Abigail Leonard West, who married Andrew Cunningham, who were the grandparents of the writer of this note.

Many members of the West family were booksellers and publishers, — among them John, who published the Boston Directory for 1796. Alford Butler, who married Eunice West, was a book-binder, and had a son, Samuel Butler, who was a partner in the firm Thomas & Andrews. See *ante*, pp. 113, 119 and *note*.

The connection of the West family with Robert Sanderson is proved in an article by John E. Alden in the New England Historical and Genealogical Register for 1898, lii. 23.

[1] Suffolk Deeds, cv. 66.

NOTE ON BENJAMIN DAVIS, THE LOYALIST.

Captain William Davis, of Boston, apothecary, was of the Ancient and Honorable Artillery Company, 1643; was admitted to the First Church, 28 July, 1644; and, in 1669, was one of the principal Founders of the Old South Church, his name standing on the Records at the head of the List. He was a Representative for Springfield, 1652, 1666, 1671 and 1672, and for Haverhill, 1668.[1] He was a wealthy and enterprising citizen, a man of discretion, many years one of the Selectmen of Boston at different times between 1647 and 1674, and joint Commissioner (1653) with Governor Leverett to the Dutch at New York. Thrice married, his first wife was Margaret, daughter of William Pynchon of Springfield, his second, Huldah, daughter of the Reverend Zechariah Symmes, and his last, Sarah, daughter of John Farmer.

Captain William Davis lived in State Street, on the north-easterly corner of Exchange Street (Boston Record Commissioners' Reports, ii. (Third edition) Part 2, 22; and see *ante*, v. 289) until 1645, when he sold his estate (Suffolk Deeds, i. 63) and bought of Valentine Hill the lot in Washington Street at the southerly corner of Court Avenue (*Ibid.* i. 60). This estate had a frontage of twenty feet on the street (this portion of it being now the site of Thompson's Spa) and, including subsequent additions, extended back, on irregular lines, to Court Square, about 350 feet. In 1736 William Price bought it, and in 1770 bequeathed it to King's Chapel. The most valuable part of the estate now constitutes The Price Fund (Suffolk Deeds, xxvi, 169; and Foote's Annals of King's Chapel, ii. 421 and *notes*).

He died 24 May, 1676 (Sewall's Diary, i. 13). His will, executed a week before his death, mentions "my mother Mrs. Elizabeth Davis in London" and contains valuable particulars (Suffolk Probate Files, No. 786).

Major Benjamin Davis, son of William and Margaret (Pynchon) Davis, was also an apothecary and of the Artillery Company, 1673 (Roberts's History of the Ancient and Honorable Artillery Company, i. 223). Judge Sewall notes in his Diary (i. 95) the admission of Benjamin Davis to the Old South, 13 Septem-

[1] The Third, or Old South, Church was founded by the liberal and progressive element in the fellowship of the First Church, not, however, without much acrimony and contention which, finally, was transferred to the Legislature.

"The next election turned chiefly on the question, Who are for the old church and who for the new? and so strong was the popular feeling against the conservatives, that a majority of the members of the House of Deputies of 1670 lost their seats, and more enlightened men were chosen to succeed them. It was not then required that a deputy should reside in the town represented by him, and this made it possible for several leading members of the Third Church to be returned to the new House. Thomas Savage was elected for Andover, William Davis for Springfield, John Hull for Westfield, Hezekiah Usher for Billerica, and Thomas Brattle for Lancaster. Major Savage, who had filled the chair in 1659 and 1660, was again chosen speaker. A majority of the magistrates was favorable to the new church, and with the ever faithful secretary, Edward Rawson, at his post, its friends were now prepared to bring to speedy silence the carping criticism and calumnious aspersions with which they had borne so long and so patiently" (Hill's History of the Old South Church, i. 107, 108).

Mr. Hill's History also records the active part which Captain William Davis took in the proceedings preliminary to the gathering of the Old South. See also Historical Catalogue of the Old South Church, p. 215. Concerning Captain Davis's mission to England in 1661, see 4 Massachusetts Historical Collections, vii. 170; and John Hull's Diary, pp. 205, 206.

ber, 1685, and the fact that he wore a periwig, — the pet abomination of the good Judge. On the twenty-third of March, 1686–87, Davis, in company with Sewall and others, waited upon Andros to remonstrate, in vain, against the occupancy of their meeting-house for the services of the Church of England (*Ibid.* i. 171). In 1699, he was one of the Founders of the Church in Brattle Square, and one of the two Deacons first chosen. If evidence of the broad-mindedness of these Founders were lacking, it would be found in the fact, that of the twenty "Undertakers" six had been subscribers to the building of the first King's Chapel, in July, 1689, — among them Benjamin Davis, who gave £3. He also gave £5 toward enlarging the Chapel, 22 January, 1712–13 (Foote's Annals of King's Chapel, i. 89, 91, 232).

His first wife was Sarah, daughter of James Richards of Boston and Hartford, one of the richest men of his day in New England. Davis died 26 November, 1704 (Sewall's Diary, ii. 118). His widow Mary declined (12 December, 1704) to administer his estate because she was intending "to go for England amongst my Relations." She was Mary Tippet whose Purpose of Marriage with Benjamin Davis was recorded 15 January, 1696–97 (Boston Record Commissioners' Reports, xxviii. 348). Probably, she was the widow of Nicholas Tippet of Boston and of Charlestown in the Island of Nevis (*Ibid.* i. 155, 169; Records of the Court of Assistants, i. 340; Suffolk Probate Records, xi. 221, and Foote's Annals of King's Chapel, i. 112, 114, 117, 121, ii. 603. See also New England Historical and Genealogical Register, lv. 335). A valuable petition (11 June, 1708) of the children of Captain William Davis is among the Probate papers of this estate (Suffolk Probate Files, No. 2909). See Historical Catalogue of the Old South Church, pp. 278, 279.

Dr. William Davis, physician and surgeon, only son of Major Benjamin Davis, was born in Boston, 22 January, 1686–87 (Boston Record Commissioners' Reports, ix. 168); married Hannah, daughter of Sheriff Edward Winslow, 26 January, 1715–16 (*Ibid.* xxviii. 57. See *Ibid.* ix. 234; Suffolk Deeds, xcii. 69; and Suffolk Probate Files, No. 10,609); with his wife, joined the Church in Brattle Square, 7 January, 1727–28; and there had eight children baptized, 1719–1738.

His residence was at the north-easterly corner of Water Street and Pudding Lane (Devonshire Street). This estate was acquired by Mrs. Welthean Richards, 12 October, 1657 (Suffolk Deeds, iii. 64). By her will (1679) she devised it to her eldest son John Richards (Suffolk Probate Files, No. 1120), and he, by his will (1694), devised it to his young niece Margaret (b. 1681), daughter of Major Benjamin Davis (*Ibid.* No. 2140), who probably died leaving as her heirs her brother, Dr. William Davis, and two sisters, — Sarah, who married Richard Bill, and Elizabeth Davis. The title passed to Dr. Davis, through his brother-in-law, Richard Bill, and Edward Bromfield, in 1741–1743 (Suffolk Deeds, xxx. 94, 95; lxii. 254; lxv. 251; and lxvi. 25, 26). In 1774, his heirs conveyed the estate to Dr. Joseph Gardner (*Ibid.* cxxv. 103, 130, 131). It is now owned and occupied by the National Bank of the Commonwealth.

He died 14 March, 1745–46, as we learn from the following obituary[1] in

[1] I am indebted to Mr. Edmund M. Barton, of Worcester, for this interesting and valuable item.

the Boston Weekly News-Letter of Thursday, 20 March, 1745–46 (No. 2292, p. 2/1): —

"On Friday last died Dr. *William Davis* aged about 58 Years. He was a Gentleman much improved and greatly beloved among us, as a skilful Physican and Surgeon, and was had in Esteem for his strict Piety. He was decently interr'd Yesterday in the Afternoon."

Administration upon his estate was granted to his widow, 28 March, 1746. The Inventory amounted to £3429. 9. 6, and included Silver Plate valued at £404. 14 (Suffolk Probate Files, No. 8459).

BENJAMIN DAVIS, second son of Dr. William Davis, was baptized 13 July, 1729, and was of the Boston Latin School Class of 1736. He married (1) Elizabeth Phillips, 9 August, 1752 (Records of the Church in Brattle Square), who was baptized into the Episcopal Church, 4 June, 1754, at Trinity Church, where three of their children were also baptized, — (i) Hannah, 1 December, 1754, (ii) Benjamin, 4 April, 1756, (iii) Mary, 12 February, 1757, who married her father's cousin-german, Isaac Winslow, Junior, 20 April, 1772 (*post*, p. 129 and *note*); (2) Anstis Greenleaf, daughter of Sheriff Stephen Greenleaf, 10 September, 1762 (Trinity Church Registers), by whom he had (iv) Anstis, baptized 13 April, 1764 (*Ibid.*), whose mother died 6 May, following, in her twenty-second year (Boston Gazette of Monday, 14 May, 1764, No. 476, p. 2/2, which contains a long obituary. *Cf.* Trinity Church Burial Register); (3) Alice Whipple, of Providence, R. I., 18 September, 1768 (Providence Town Records. *Cf.* Boston Record Commissioners Reports, xxx. 425). Concerning this wife, one of Mr. Davis's descendants sends me the following anecdote, drawn from his family papers: —

"The lady's *amour propre* was offended and her philosophy over-taxed by the extraordinary self-denials and usages of the Sandemanians. Following the example of the early Christian Church, it was their custom to hold a love-feast[1] on Sunday at one another's houses, at which only Sandemanians were present. The wives who were not members of the Sect, naturally did not take kindly to their exclusion from their own tables, and, at last, the third Madam Davis felt constrained to return to her family, thus, practically, deserting her husband. A legal divorce being then unobtainable, the Sandemanians took the matter under consideration and concluded to sanction another matrimonial alliance on the part of Mr. Davis, declaring his to be one of those cases where voluntary abandonment by the wife justifies the dissolution of the marriage tie in the sight of Heaven."

If Mr. Davis married a fourth wife, it is probable that she was Katharine Overlick, whose Intention of Marriage with Benjamin Davis was entered 24 April, 1773, but as we find no record of a marriage, and do find that Catharine Overlick, — presumably the same woman — entered her Intention of Marriage with John Clows 10 November, 1774, it is doubtful if Mr. Davis made another matrimonial alliance. (Boston Record Commissioners' Reports, xxx. 430, 443).

[1] In 1766, an interesting pamphlet appeared in Boston entitled —

"A Plain and Full Account of the Christian Practices observed by the Church in St. Martin's-le-grand, London, And other Churches (commonly called Sandemanian) in Fellowship with Them. In a Letter to a Friend. Acts, xxviii. 22. . . . Boston: Printed and Sold by Z. Fowle, in his Printing-Office in Back-Street, near the Mill-Bridge. MDCCLXVI." (12 mo. pp. 28.)

It fully describes the love feasts, the kiss of charity, and other practices of the sect.

Some account of Benjamin Davis's troubles at, and immediately following, the outbreak of the Revolution has been already given in these pages (*ante*, v. 269, 270). In the List of Addressers of Hutchinson, in 1774, his name appears as "Benjamin Davis. Town Dock. Huckster" (1 Proceedings of the Massachusetts Historical Society for October, 1870, xi. 392). His warehouse was at Woodmansey's Wharf, which had been long in the Davis family. It ran easterly from or near the corner of Merchants' Row and what is now South Market Street (Boston Record Commissioners' Reports, ii., Second edition, Part II., 95; and Suffolk Deeds, lxxxv. 54. *Cf.* Suffolk Deeds, iv. 225; x. 202, 286, 293; and Suffolk Probate Files, No. 2909, Inventory, and No. 8459, Inventory). After Benjamin Davis left Boston with his family, he had an eventful career (*ante*, v. 269, 270.) He finally settled in the town of Shelburne, Nova Scotia, where he and his son of the same name were merchants. On the thirtieth of January, 1789, they executed there a power of attorney to Isaac Winslow (1743–1793) of Boston, merchant, in generalty, and in particular to convey their interest in Woodmansey's Wharf, in Boston (Suffolk Deeds, clxiv. 194), under which a conveyance of the premises was made on the sixth of June, following (*Ibid.* clxvi. 133, 134). Subsequently, Benjamin Davis, Senior, returned to Boston, and here he died, broken in estate if not in spirit, on the fourteenth of September, 1805. The New England Palladium of Tuesday, 17 September, 1805 (xxvi. 23), contains this announcement[1]: —

"DIED.

In this town, on Saturday evening last, Benjamin Davis, esq. aged 77."

A similar, but less complete, announcement appeared in the Columbian Centinel of 18 September, p. 2/3.

On the sixteenth of September, 1805, administration on the estate of Benjamin Davis, late of Boston, merchant, deceased, intestate, was granted to the Hon. William Sullivan. The Inventory, all personal, amounted to only $101 (Suffolk Probate Files, No. 22,440).

NOTE ON ISAAC WINSLOW, Senior and Junior.

As Isaac Winslow and Isaac Winslow, Junior, who were members of the Sandemanian Congregation in Boston, have been confounded by historical writers, it may be stated here that they were uncle and nephew.

Edward Winslow, born in Boston, 1 November, 1669, son of Edward and Elizabeth (Hutchinson) Winslow, and grandson of John and Mary (Chilton) Winslow, was a goldsmith, and Captain of the Ancient and Honorable Artillery Company (Roberts's History of the Ancient and Honorable Artillery Company, 1895, i. 326, 327). His first wife, Hannah, was a daughter of the Rev.

[1] My thanks are due to Mr. Julius H. Tuttle for this obituary notice. I embrace this opportunity to make my grateful acknowledgments to Mr. Tuttle for his constant and uniform kindness and courtesy and for his valuable aid in many undertakings.

Joshua Moody of the First Church. By her he had, among others, two sons, Joshua, born 12 February, 1694–95, and Isaac, born 2 May, 1709. His daughter Elizabeth (by wife Elizabeth Pemberton), born 16 February, 1712–13, married Richard Clarke, 3 May, 1733, and became the mother of Mrs. John Singleton Copley (Boston Record Commissioners' Reports, ix. 112, 216; xxiv. 64, 87, 255; and xxviii. 43, 181. *Cf. ante*, v. 197 *n.*).

His brick mansion-house was in King (now State) Street, and occupied the lot ($25\frac{1}{12}$ x 120 feet, extending back to what is now Post Office Avenue) which makes the easterly corner of Congress Street, and is completely covered by the stone building recently in the occupancy of the Tremont National Bank. This lot was a part of the original Possession of Elder Thomas Leverett (Boston Record Commissioners' Reports, ii., Second edition, 4) and, with a lot of similar dimensions contiguous on the east, and now covered by the Exchange Building, constituted the mansion-house and garden of his son, Governor John Leverett, whose heirs, for £370 "in money at the rate it now passeth viz: eight shillings p ounce, Troy," sold the house to Edward Winslow, 21 October, 1708 (Suffolk Deeds, xxiv. 160). After his death, the house was occupied for a time by his grandson, Benjamin Davis, the Loyalist (Suffolk Probate Records, lxviii. 406). In 1759 (27 November), the estate was sold, for £600, L. M., by Winslow's heirs to John Vassall, of Cambridge (Suffolk Deeds, xciii. 215-217).

He died 1 December, 1753. The Boston Evening-Post of Monday, 3 December, 1753 (No. 953, pp. 1/2, 2/1), contains the following obituary notice: —

"And the same Evening [Saturday last], about 9 o'Clock, after a long Indisposition, died *Edward Winslow*, Esq; who had just entered the 85th Year of his Age. This Gentleman had formerly, for Many Years, been High Sheriff of the County of *Suffolk*, and Colonel of the Regiment of Militia in this Town; but by Reason of Age and Infirmities of Body, laid down those Posts, and has for several Years past, till his Death, been a Justice of the Peace and of the Quorum, and one of the Justices of the Inferiour Court of Common Pleas for the County of *Suffolk*, and also Treasurer of the said County."

His will is in Suffolk Probate Files, No. 10,609.

Joshua Winslow, merchant, above mentioned, married Elizabeth, daughter of Colonel Thomas Savage, 8 February, 1720–21 (Boston Record Commissioners' Reports, xxviii. 90; *cf. ante*, pp. 38, 39, *notes*), and by her had many children, who were baptized at the Old South Church. Among these was Isaac, baptized 18 September (Old Style), 1743, who was called Isaac Winslow, Junior, to distinguish him from his uncle of the same name. Joshua Winslow died 9 October, 1769. The Boston Evening-Post of Monday, 16 October, 1769 (No. 1777, p. 3/1) thus records the event: —

"*Boston, October* 16, 1769.

Monday Morning last died here, in the 75th Year of his Age, JOSHUA WINSLOW, Esq; — A Gentleman Who sustained a very respectable Character, both in publick and private Life. His Remains were decently interr'd last Friday Afternoon."

His will provided that his "distill-house" in Cold Lane (Portland Street) should be carried on by his son Isaac (Suffolk Probate Files, No. 14,559).

ISAAC WINSLOW (born 1709) was also a merchant of Boston and later a farmer of Roxbury. He married (1) Lucy, daughter of General Samuel Waldo, 14 December, 1747, with whom he united with the West Church in Boston, 16 October, 1748 (Boston Record Commissioners' Reports, xxviii. 267; and West Church Records); and (2) Jemima Debuke, 15 November, 1770, at the Church in Brattle Square (Church Records, which give the erroneous date of 25 November; and Boston Evening-Post of Monday, 26 November, 1770, No. 1835, p. 2/3). In 1774, he was appointed a Mandamus Councillor and was one of only ten who qualified (Whitmore's Massachusetts Civil List, p. 64; and Sabine's Loyalists, ii. 446). He was an Addresser of Hutchinson and of Gage, a Protester against the Solemn League and Covenant, and a Refugee named in Barrell's List. He died in March, 1777 (Family Record). His will, without date, describes himself as of Roxbury, states that he was then residing in Halifax, Nova Scotia and was about to embark for New York, and names as executors his nephews, Isaac Winslow, Junior,[1] Jonathan Clarke and Isaac Winslow Clarke (see *ante*, v. 197, 199, 200 and *note*, and 201). The will was proved here, 28 October, 1785 (Suffolk Probate Files, No. 18,543). Sabine (ii. 446) says that his widow Jemima died in London in 1790. See *ante*, iii. 14.

ISAAC WINSLOW, JUNIOR, son of Joshua Winslow, was of the Boston Latin School Class of 1751, and graduated at Harvard College in 1762 in the class with the Rev. Jeremy Belknap and the Rev. Andrew Eliot. The Faculty Records (ii. 98) give the date of his birth as 24 September (New Style), 1743. After he had entered mercantile life, he was styled Isaac Winslow, Jr., of Boston, "merchant," and sometimes "distiller." In the division of his father's estate, there was set off to him one-half of the mansion-house and lot situated at the easterly corner of Exchange Street and fronting upon Dock Square, which had descended from Nicholas Davison through the Lynde and Savage families (see *ante*, pp. 37, 38, *note*). He was twice married: (1) to Margaret Sparhawk, 22 November, 1770, by whom he had issue, John Sparhawk Winslow, born January, died April, 1772 (Family Record). The Essex Gazette of Tuesday, 20–27 November, 1770 (No. 122, iii. 70/4), thus announces the marriage: —

"SALEM, November 27.

Last Thursday Mr. ISAAC WINSLOW, jun. of Boston, Merchant, was married to Miss PEGGY SPARHAWK, Daughter of the late Reverend Mr. SPARHAWK, of this Place, deceased, and Niece of the Hon. NATHANIEL SPARHAWK, Esq; of Kittery."

She was born 20 October, 1752 (Essex Institute Historical Collections, xxv. 40–43, 281–283). She died 18 January, 1772,[2] and he was married (2) to Mary Davis, 20 April, 1772, by John Hill, Justice of the Peace (Boston Record Com-

[1] He is also called Isaac Winslow, Junior, in the will of his maternal aunt, Margaret (Savage) Alford, 1785 (Suffolk Probate Files, No. 18,461).

[2] Journal and Letters of Samuel Curwen (1864), p. 673. Curwen's Editor, George Atkinson Ward says that Winslow soon after married Mary Davis, daughter of Benjamin Davis, Esq., of Boston (see *ante*, p. 126), and adds: —

"Mr. Winslow was a particular friend of [the second] Sir William Pepperrell, and his first wife a cousin of the Baronet. Whilst Mr. Winslow was in the British provinces, they corresponded, and Sir William's letters evince great charity for his political opponents notwithstanding the bitterness which marked their writings and conduct" (*Ibid.*).

See A Loyalist in the Siege of Boston, in the New England Historical and Genealogical Register for January, 1902, lvi. 48–54.

missioners' Reports, xxx. 64), and had issue: — (i) Isaac, born 2 February, 1774, (ii) Thomas, born 10 October, 1775, at Boston, (iii) Benjamin, born 10 January, 1778, at Halifax, (iv) John-Davis, born 26 June, 1779, (v) Mary, born 26 September, 1781, at New York, married Pleasant Hudgens, of New Orleans, Louisiana (see Suffolk Deeds, cclxxxi. 129, and Suffolk Probate Files, No. 33,138), (vi) Benjamin, born 4 August, 1783, at New York, (vii) Joshua, born 24 June, 1785, at Boston, (viii) Elizabeth, born 2 June, 1787, at Boston, married William Pickering, (ix) Edward, born 31 August, 1788, at Boston, (x) Margaretta, born 12 September, 1789, (xi) a still-born daughter (Family Record). At the time of the Evacuation of Boston, Isaac Winslow, Junior, left the Province with his brothers, the Reverend Edward Winslow (H. C. 1741) and John Winslow, who was a Commissary in the British Army and died in New York, 26 September, 1781, without issue (*Ibid.*), and his uncle Isaac Winslow (*Ibid.*; and Sabine's Loyalists, ii. 446, 597). The death of Isaac Winslow, Junior — who had become Isaac Winslow, *Senior*, on the death of his uncle, — occurred 20 January, 1793 (Family Record), and was announced in the Columbian Centinel of Wednesday, 23 January, 1793 (No. 923, p. 3/3): —

"In this town, suddenly, Mr. ISAAC WINSLOW, sen. — His funeral will proceed from his dwelling-house in Sudbury Street, this afternoon, at half-past 3 o'clock, which his friends and relations are requested to attend without further invitation."

He has been characterized as the embodiment of conscience and loyalty. He is supposed to have drowned himself under the influence of religious melancholia. His insolvent estate, which had been ruined by the war and his long absence from the Commonwealth, was administered by his widow, 12 February, 1793 (Suffolk Probate Files, No. 20,095).

The Columbian Centinel of Saturday, 4 October, 1800 (No. 1726, p. 2/4), contains the following announcement: —

"DIED] . . . Last evening Mrs. *Mary Winslow*, Æt. 44, widow of the late Mr. Isaac Winslow. — Her funeral will be from her late house in Hawkin's-street, on Monday next, at 4 o'clock, P. M. which the friends and acquaintance of the family are requested to attend."

Russell's Gazette of Monday, 6 October, 1800 (p. 3/1), contains a similar notice, which gives Mrs. Winslow's age accurately as 43.

I am indebted to Mr. William Henry Winslow for the use of a Family Record, made in 1810. From it some of the dates in this Note, which are not found in the public records, have been taken. To our associate, Mr. William Coolidge Lane, also, my thanks are due for extracts from the Harvard College Faculty Records which enable me to correct here a serious error in Sabine's account of the Isaac Winslows who were Loyalists where he says (ii. 446) that Dr. Isaac Winslow of Marshfield was a Harvard graduate of 1762.

Mr. ABNER C. GOODELL opened the discussion upon the paper and stated that the church discipline of the Sandemanians was Congregational. He mentioned that John Glas, founder of the sect in Scotland, was the father-in-

law of Sandeman,[1] and that Faraday[2] and his parents and grandparents were devout members of this religious body.

The Rev. EDWARD G. PORTER commended the topographical precision of the paper, and spoke of several of the buildings which were now, or within a few years, standing upon parts of the site of the first Meeting House. He said it was while in Veazie's barn that John Gilbert began to think of being an actor. Mr. Porter spoke at length on the historical and antiquarian value of papers of this character, and then gave a most graphic sketch of the Sect both in this country and in Great Britain. Glas, he said, was a University man, and in England his followers were called Glasites or Kissites, — from one of their peculiar customs. In this country, Sandeman did not require his followers to bring their children to the public services of the church. The Sandemanians had no settled clergy, but two Elders,[3]

[1] For notices of Glas and Sandeman, see Dictionary of National Biography, xxi. 417, 418; l. 255, 256. The late Colonel Sir Robert Groves Sandeman, whose career in India was distinguished, was a great-grandson of Thomas Sandeman, a brother of Robert Sandeman. There is a notice of Sir Robert in the Dictionary of National Biography, l. 256, 257; and a biography, by Thomas Henry Thornton, was published in 1895.

[2] Faraday appears to have been an Elder. There are references to the Sandemanians in Bence Jones's Life and Letters of Faraday (1870), i. 4, 5; in J. H. Gladstone's Michael Faraday (1872), pp. 21, 35, 91; and in Silvanus P. Thompson's Michael Faraday (1898), pp. 4, 51, 286.

[3] Dr. Snow says: —

"As to church officers, they always had two elders (teachers) and deacons: no deaconesses are recollected. Daniel Humphreys, esq. (brother to the late Col. Humphreys) was early a deacon here, but soon removed to Danbury, Conn. to officiate as an elder. Mr. H. is still living and resides at Portsmouth, N. H. being Dist. Attorney of the U. S. He is an elder in a small society there, of which Mr. [Alford] Butler abovenamed is also a living member" (History of Boston, 1825, p. 257).

See *ante*, p. 114; and 1 Massachusetts Historical Collections, x. 61. Humphreys was born at Derby, Connecticut, 18 May, 1740, graduated at Yale in 1757, and died at Portsmouth, New Hampshire, 30 September, 1827 (Dexter's Yale Biographies and Annals, ii. 471–474).

In the forthcoming Report of the Boston Record Commissioners (xxx.) containing the Boston Marriages, 1751–1809, are found entries of marriages performed by Sandeman and Mitchelson (pp. 43, 45, 53, 57). In one case the record reads, "married by Robert Sandeman Minister of the Congregational

who took the lead in all matters. They had a hymn-book of their own. He also stated that Stiles, Langdon, and Chauncy gave much thought to the belief of the Sandemanians. Mr. Porter gave an interesting account of the Sandemanian Society in Danbury, Connecticut, and mentioned that its Meeting House[1] is now used as a stable.

Mr. ANDREW MCFARLAND DAVIS said: —

When Mr. Edes told me that he was at work upon the task of identifying the sites of the Sandemanian Churches in Boston, I replied, "You will find that many of our members will be much interested in your paper." I had not, however, supposed that there would be at our meeting one who, like Mr. Goodell, had made a study of the subject and was prepared to tell us of the career of the Society in England, and still another whose knowledge of the sect, of its customs, and of its peculiarities extends to such minute details that it comprehends the names and the places of residence of the surviving members who now represent it. As a matter of fact, it had not seemed to me probable that there would be any person who could aid the writer of the paper in furnishing information upon this subject. I confess to the same surprise that must have been shared by all, at the wonderful reservoir of information treasured in the memory of our associate Porter, from which he has been able with such remarkable facility to draw, without warning or preparation, the extraordinary and interesting account of the Sandemanians to which we have listened.

What I actually referred to in my suggestion that the paper would prove of interest was this. You will remember, Mr. President, that when you and I were considerably younger than we now are, we read with avidity the stories which Edward

Church assembling in Mason's Hall, at the Sign of the Green Dragon, 9 Feby 1767"; and in another, the marriage is recorded as having been solemnized by "David Michalson Sandemanian Teacher," 25 November, 1769. In the list of Protesters against the Solemn League and Covenant, Colborn Barrell is described as "Merchant and Sandemanian Preacher" (1 Proceedings of the Massachusetts Historical Society for October, 1870, xi. 393). Apparently, therefore, Mitchelson and Barrell were the two Elders of the Boston church.

[1] A view of this building and some account of the way in which the services of the Sandemanians were conducted are in Barber's Connecticut Historical Collections, pp. 368, 369.

Everett Hale was then launching upon the public. One of them, The Man without a Country,[1] has made his name immortal. Another, My Double and How he Undid Me,[2] if it lacks the dramatic pathos of the first, has a quaint humor of its own which entitles it to survive, and besides has an actual historic value through the manner in which it portrays an existing condition of contemporary life in the picture which it gives of the exhausting demands made upon the time of a rural Congregational minister. Frederic Ingham, the hero of this latter story, is described as a Sandemanian minister, and it is through interest in him that thousands, yes, I might say tens of thousands, of readers have been led to inquire, What is a Sandemanian? As if to perpetuate interest in this question, this story closed with Ingham settled upon the Minister's lot in Township 9, Range 3, in Maine, where, relieved from the exacting duties which led him to employ a double, he finds time to work on his Traces of Sandemanianism in the Sixth and Seventh Centuries, and here the opportunity is found for the construction of the Brick Moon, the story of which forms another of this series.

Those who have read this quaint and humorous forerunner of the quasi-scientific stories of the Jules Verne type, may perhaps recall this fact, that the inhabitants of the Brick Moon were no sooner launched into space than they felt the necessity of a religious organization, which they satisfied by the establishment of a Sandemanian Church. A bundle containing presents for the inhabitants of the Brick Moon was shot forth from the fly-wheel into space. A few of the articles which it contained reached the surface of the new planet, but others became satellites. Among the latter was a copy of the Ingham Papers which, according to the title-page of that volume, contained "some memorials of the life of Capt. Frederic Ingham, U. S. N., sometime pastor of the First Sandemanian Church in Naguadavick,"[3] *etc.* This volume is prefaced by a Memoir of the imaginary Ingham in which Mr. Hale tells us what he knew about the Sandemanians. He says: —

"I have been somewhat surprised, and indeed annoyed to find how many intelligent persons, who, probably, share themselves in the prin-

[1] In If, Yes, and Perhaps, Boston, 1868, pp. 199–241.

[2] *Ibid.* pp. 171–198.

[3] The Ingham Papers, Boston, 1869.

ciples of Robert Sandeman, are, nevertheless, ignorant of the very existence of the Sandemanian Communion."

In the dedication to one of his books,[1] Mr. Hale says: —

"I dedicate this book to the youngest of my friends, not two hours old. Fun, fact, and fancy, — may his fresh life mix the three in their just proportions."

Mr. Hale's fancy has such an air of verisimilitude that it has always puzzled some of his readers to distinguish it from his fact, and there must have been many among them who will welcome authentic knowledge of Sandemanianism.

Mr. HENRY WILLIAMS and Mr. GOODELL both expressed the wish that Mr. Porter would write out his Remarks in order that the interesting and valuable account of this almost-forgotten Sect might be preserved in print in the Publications of this Society.[2]

Mr. FREDERICK LEWIS GAY then said: —

Shortly after the battle of Lexington, complaints of bad and insufficient food were heard from the New England militia investing the British forces in the town of Boston. It is hard to say now how far the complaints were justified by facts, but it is only natural to suppose that there was more or less real suffering attendant on the sudden massing of a horde of half-disciplined troops. Perhaps it is too complimentary to call many of them even half-disciplined. Difficulties arose from want of an organized system of distribution rather than from a lack of supplies. Modern instances of like troubles in our recent war with Spain need not be touched on here.

I have here the Petition of a handful of militiamen made vocal by hunger. The body of the Petition is in the handwriting of Eliphalet Barns, the first signer. The writer's shrewd line of reasoning in the preamble shows him to have been no mean juggler with words. How to deal with such cases of rank insubordination

[1] If, Yes, and Perhaps.

[2] Mr. Porter promised to comply with this request, but died before he found time to do so. The brief abstract of his Remarks in the text is made from notes taken at the time by a member of the Society.

at that juncture must have been a hard question. As an example of one of the many discouragements which beset those in authority at the beginning of the Revolution, the paper seems worth preserving.

To the Representitives of the province of the Massechusetts Bay Seting in Congress at wattertown this with Care.

Jentlemen Representitives of this province.

Know dout it is a truth acknowlidged among men that god his plac^d^ men in greater and Lower Stations in life, and that Inferiours are moraly Bound to obay their Superiors in all their lawful Commands, But altho our king is our Superiour, yet his Commands are unlawful. Therefore we are not bound to obay, but are in providence Cald to rise up against Such tiranical usurpations, and our province at this difficult Day is Necessiated to Chuse Representitives and officers to Rule as king over us. To which we Cheerfully Submit in all things lawful or just & Count it our hapiness, but if their laws are greavious to bare, then the agreaved is by the Same Rule authorized to Rise up in oppisition to Said laws, and their his been Some acts made for the Regulation of the armey, and his been So Short life^d^ and New acts in Stead thereof, that it his Constraind many to withdraw and others, viz. Companies and Ragements, Appearently broke or throne into Confusion, and by these that Remain Here are much Deuty Required, to which we, animated from a Spirit of Liberty, would Chearfully Submit, provided we had a Sufficient Support from day to day. we many times have drawn Such Roten Stinkin meat that the Smell is Sufficient to make us lothe the Same, and, provided the provision would be good, a pound of meat and a pound of bread with what Small quantity of Sase we at Some times draw is fare from being Sufficient for a Labouring man during 24 hours, the truth of which we have Experienc^d^ to our Cost, as Necessity his Constraind us to buy from day to day untill our money fails, and is not this a means of driving away men that otherwise would Stay, and keeping away men that otherwise would Come, pray let not our Case be parilel to the Case of the Isarelites when in bondege to the Egyptianes, who Required the tale of brick, but gave no Straw. If you Require the tale of work or deauty from us, give us wherewith all to live upon. their is a large Nomber of men in verious Ragements that Rsents Their treatment with Regard to provision So fare that they have Sworn by the god that made them that, if the[y] Cannot have a Sufficient Support, they will Either Raise a mob and go to the general and Demand provision and obtain it that way, or they will Swing their packs Emediately and go home boldly

throu all the Guards. If the Reality of the above is Scrupled, Surely the truth may be known by the Colonels applying to the Solders, and if we Should be Constraind to take any of the above Extreams, dos it not look like great Confusion, yea, a fore Runner of our fall, and we become a pray to Devorring unnatreal Cruel Enemies of our liberties and Religeon. and Now we would humbly Request the Congress, as they Regard The welfair of the province, our lives and liberties and the Religion we profess, that they would Remove out of the way at Least this one Defficultie which otherwise his the apperence of making an Emediate Contention or Rebelion in the Camp. we not only write in our Names, but in the name And behalf of many whome we Represent. And that the Congress may have wisdom from a bove to act in Such a Difficult day is the Sincere Desire of them who as yet Remains yours to Sarve.

ROXBURY, May ye 23, 1775.

ELIPHELET BARNS
TIMOTHY TITUS
STHEPHEN WILLES
JAMES WILLARD
WILAM BENNETT
ISAAC PITS
JONAH FULER
JOHN ARMSTRONG

In Provincial Congress, Watertown, May 25, 1775.

Ordered. That the within Petition be sent to General Thomas, and that he be, and hereby is directed to enquire into the causes of the Complaint therein contained, and take proper measures for the Redress of the Petitioners.

SAM^L FREEMAN *Secr^y P. T.*

I cannot discover what, if any, redress was afforded the petitioners. The indorsement, written perhaps by the Commissary General, is brief and ominous: — "Pertition of 8 Scoundrels to the Honourable Provi[ncial] Congress." [1]

Mr. CHARLES ARMSTRONG SNOW said that he recognized in John Armstrong, — one of the "eight Scoundrels," an ancestor concerning whom he should gratefully welcome infor-

[1] An allusion to this Petition will be found, under date of 25 May, 1775, in Journals of each Provincial Congress of Massachusetts, 1838, pp. 257, 258.

mation, and expressed the hope that some member of the Society might be able to give it.

Mr. EDES exhibited an extremely rare engraved portrait of Washington, which was the first to be published in Boston.[1] It bears the following inscription: —

B. Blyth, del. J. Norman, Sculp.

His Excell^{cy} George Washington, Esqr

General and Commander in Chief of the Allied Armies,
Supporting the Independence of America.
Taken from an original Picture in possession of his Ex^{cy}
Govr Hancock
Published by John Coles, Boston, March 20th 1782.

Mr. ALBERT MATTHEWS communicated the following paper on —

THE TOPOGRAPHICAL TERMS "INTERVAL" AND "INTERVALE."

These words, so well known throughout New England, suggest interesting questions in regard to derivation, meaning, and distribution. As early as about 1680 the Reverend W. Hubbard called attention to the topographical meaning of Interval. "Butt here and there," he remarked, "there are many rich and fruitfull spots of land, such as they call intervail land, in levells and champain ground, without trees or stones, neere the banks of great rivers."[2] More than a century later the Reverend J. Morse said that "these vallies, which have received the expressive name of *interval lands*, are of various breadths, from two to twenty miles."[3] In 1790 the Reverend S. Deane gave the following definition: —

"Interval, the space between two places, or things. The word is used in husbandry to denote the space between rows of corn, or other vegetables; especially in the horse-hoeing husbandry. By interval also, and more usually in this country, is understood land on the border

[1] A companion portrait of Martha Washington was also engraved by Norman.

[2] General History of New England, 1815, p. 22 (2 Massachusetts Historical Collections, v. 22). Though written for publication about 1680, this work was not printed until 1815.

[3] American Geography, 1789, p. 141.

of a river. Interval-land is commonly so high and dry as to be fit for tillage; and yet always so low as to be frequently overflowed by the swelling of rivers, especially in the spring."[1]

In 1792 the Reverend J. Belknap, when criticised by an English reviewer[2] for the use of the word "freshet," boldly defended himself; but when he took up the word Intervale, his tone was almost apologetic. He said: —

"I know not whether as much can be said in vindication of another word, which I have frequently used, and which perhaps is not more known in England, viz. *intervale*. I can cite no very ancient authority for it; but it is well understood in all parts of New-England to distinguish the low-land adjacent to the fresh rivers, which is frequently overflowed by the freshets."[3]

The first dictionary to recognize Interval, in the meaning under discussion, was Webster's Compendious Dictionary of 1806; but Webster did not venture an opinion as to the derivation of the term. This was first done by E. A. Kendall, an English traveller, who in 1809 wrote: —

"The Cohosses or Cohasses, as we now see them, are therefore really tracts of meadow land, belonging to what are called the intervals of the Connecticut. But, even the term *interval*, though originating with the colonists themselves, has almost ceased to be understood by writers in the United States, and even in New England itself. They are at one time perplexed as to its etymology, and at another as to its application. One of them, translating Mr. Volney's work on the soil and climate of the United States, is careful to present the word *interval* under a peculiar form: — 'The *inter-vales* and banks of rivers;'[4] a refinement of which the intention appears to be, that of refreshing the reader's memory as to a supposed derivation of the word from *inter* and *vallis*, meaning a space *between valleys*. This etymology I have heard assigned by word of mouth, and it appears to be adopted in the passage cited,

[1] New-England Farmer; or, Georgical Dictionary, p. 152/2.

[2] Monthly Review, 1787, lxxvi. 139, 272.

[3] History of New-Hampshire, iii. 6.

[4] A View of the Soil and Climate of the United States of America, By C. F. Volney, Translated by C. B. Brown, Philadelphia, 1804, p. 9. The form "inter-vale," so far from indicating a refinement of intention on the part of Brown, was doubtless merely a printer's error.

because, had the writer supposed the word to come from *inter* and *vallum*, he would certainly have left it *interval*, in the ordinary form. Meanwhile, a moment's reflection will suggest, that a space *between valleys* must necessarily be filled only with mountains."[1]

In 1815 the terms were recognized by J. Pickering,[2] and a few years later President T. Dwight thus ran foul of the historian of New Hampshire: —

"The word, Interval, you have undoubtedly observed, is used by me in a sense, altogether different from that, which it has in an English Dictionary. Doctor Belknap spells it *Intervale;* and confesses his want of authority for the use of the word. There is in truth no such word; unless we are to look for its existence in vulgar, and mistaken pronunciation. . . . Interval . . in its appropriate meaning, denotes lands, formed by a long continued, and gradual alluvion of a river."[3]

In 1828 the form Intervale was recognized by Webster in his American Dictionary, but in this dubious manner: "Dr. Belknap writes this *intervale;* I think improperly." In 1842 Z. Thompson wrote: —

"*Intervale.* This word has not yet found a place in our dictionaries, and there was much carping about it by Dr. Dwight, Mr. Kendall, and other travellers and writers. But we use it, notwithstanding, because it will express our meaning more briefly and intelligibly to the greater part of our readers, than any other we could employ. It may be derived from *inter* — within, and *vallis* — a vale, or valley; and in its specific signification, it denotes those alluvial flats, lying along the margins of streams, which have been, or occasionally are overflowed in consequence of the rising of the water."[4]

The terms were noted by Bartlett[5] in 1859, and by De Vere[6] in 1872. In 1888 the late Professor J. D. Whitney said: —

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[1] Travels through the Northern Parts of the United States, iii. 191, 192.

[2] Vocabulary, or Collection of Words and Phrases which have been supposed to be peculiar to the United States. First printed in the Memoirs of the American Academy of Arts and Sciences, Vol. iii., Part ii., pp. 439-536; published at Cambridge the same year; and reprinted, with additions, at Boston in 1816.

[3] Travels; in New-England and New-York, 1821, ii. 328, 329.

[4] History of Vermont, Part i., pp. 6, 7, *note.*

[5] J. R. Bartlett's Dictionary of Americanisms, Second edition, p. 217.

[6] M. S. De Vere's Americanisms, p. 176.

"'Interval' and 'bottom'[1] as topographical designations, appear to be peculiarly American words. An interval (Lat. *intervallum*) is the space between a river and the hills or mountains by which the lower, level portion of the river-valley is bounded. Hence 'interval' has nearly the same meaning as 'meadow,' and the two words are more or less interchangeable. . . . Intervale is a variant of 'interval,' less frequently used than the latter word."[2]

Each of the derivations put forth by Kendall and by Thompson has received support from recent dictionaries.[3]

If there has been a diversity of opinion in regard to the derivation of the terms, so too has there been disagreement as to their meaning. Kendall, the English traveller already cited, was chagrined that any one should suppose that Interval and meadow were synonymous in meaning, and thus expressed himself: —

"Again: as to the signification of the term, we find it confounded with the term meadow: — 'The lands west of the last mentioned range of mountains,' says a native geographer, 'bordering on Connecticut River, are interspersed with extensive *meadows or intervals*, rich and well watered.' But, if the word *interval* were synonymous with *meadow*, it ought upon no occasion to be employed; and it is only because it is not synonymous that [it] is useful, and deserves to be retained. The elder colonists resorted to it on account of the peculiar disposition of a very great proportion of the surface, over all the country which they colonized. The *interval*, intended in New England geography, is the *interval* or *space between a river and the mountains* which on both sides uniformly accompany its course, at a greater or less distance from the margin. Hence, *interval-lands* include meadow and uplands, and in

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[1] In saying that "bottom" was a peculiarly American word, Professor Whitney was in error, as the term had been in use in England three centuries before the settlement of this country. See the Oxford English Dictionary.

[2] Names and Places: Studies in Geographical and Topographical Nomenclature, p. 231.

[3] "Interval, Intervale. [*Intervale* (the vale between) is probably the original word.] In New England, a tract of low or plain ground between hills or along the banks of rivers" (Imperial Dictionary, 1882).

"Interval, intervale, *s.* [Etym. doubtful; probably from pref. *inter-*, and *vale.*] A tract of low or plain ground between hills or along the banks of rivers. (*American.*)" (Encyclopædic Dictionary, 1885.)

"Intervale, *n.* [A var. of *interval*, as if < *inter-* + *vale.*] A low level tract of land, especially along a river; an interval. See *interval*, 2. [Local, U. S.]" (Century Dictionary.)

general the whole of the narrow valley, through which, in these regions, the rivers flow. Where rivers flow through extensive plains; where, in short, the eye is not constantly tempted to measure the distance between the river and the adjacent mountains, there is no intention of *interval-lands.*" [1]

Of a somewhat similar opinion was Noah Webster, who in 1816 said: —

"*Interval* is not synonymous with meadow. The latter is properly grass land, although we have extended the sense to tillage-land, and usually to plain land near rivers, or other low land. *Interval land* is land between hills, or a hill and river, and may be so called though covered with wood." [2]

However it may have been in regard to etymology — and there is no evidence to show that any American concerned himself with that matter until the present century — it is certain that the Englishman gave himself needless anxiety with respect to the application of the terms. When, about the middle of the seventeenth century, the colonists pushed inland and settled the regions above tide water, they encountered a different kind of soil, — the alluvial deposits along the banks of fresh-water streams. To land of this description, lying between the rivers and the uplands on either side, they gave the name of Interval or Intervale. Hence these terms have again and again been employed as exactly synonymous in meaning with meadow; but it is to be observed that while all Intervales are meadows, not all meadows are Intervales.[3] Professor Whitney's statement that Intervale has been used less often than Interval, is not borne out by the evidence.[4] Both forms are not seldom found employed by the same writer, and even appear in the same piece of writing, — though

[1] Travels, 1809, iii. 192, 193.

[2] Letter to the Honorable John Pickering, on the Subject of his Vocabulary, 1817, p. 18.

[3] Thus the words Interval and Intervale have never been employed in Rhode Island, simply because the particular kind of soil denoted by the terms is unknown in that State. Nor will they be found anywhere along the seacoast of New England.

[4] This shows that Interval and Intervale occur in about the proportion of seven to ten, respectively; but, at the present time, Interval is the more common form.

this last fact is certainly due in some cases to careless proof-reading. Kendall remarked upon the form "inter-vale," employed by C. B. Brown, — a form which is also found in works by R. Rogers[1] and by J. A. Graham,[2] but which is of rare occurrence.[3]

The history of the distribution of these terms is interesting as showing the tenacity with which they have clung to that section of the country in which they arose, and the success with which they have resisted attempts at diffusion elsewhere. They occur in the diaries, journals, and letters of New Englanders, and in the records of certain New England towns, three quarters of a century before their first appearance in print; and during the eighteenth century they are found in the writings of others than New Englanders. Whether the terms had an independent origin in other parts of the country, or whether the writers alluded to became familiar with them through travels in New England, it is difficult to say with certainty; but their life in other regions was of short duration, so far as the present writer has been able to ascertain, and in this century the terms have been confined almost exclusively to New England. This is the more surprising because there is proof that the New Englanders who emigrated to the Muskingum and the Ohio, in 1788, took the terms along with them.[4] It was remarked by A. L. Elwyn in 1859, that —

"The people of Ohio, who are largely derived from Yankees, are not remarkable for possessing their peculiarities. The great number of modern English and other foreigners who have mingled with the settlers from New England, have broken down any Yankeeisms that might otherwise have established themselves there."[5]

How far this statement is true in general, I am unable to say; but it seems to receive striking confirmation from the history of

[1] Concise Account of North America, 1765, pp. 49, 53, 66, 67, 84. The form Intervale occurs at p. 48.

[2] Descriptive Sketch of the Present State of Vermont, 1797, p. 44. The form Intervale occurs at pp. 65, 135, 148, 166. Both these books were printed in London.

[3] The following are the early forms: Enteruail, Enterual, Entervail, Entervaile, Enterval, Entervale, Entervall, Intervail, Intervaile, Interval, Intervale, Intervall, Intervayle, Intreval. By about 1750 these had been reduced to the two forms now common.

[4] See the extract below from R. Putnam, 1788.

[5] Glossary of Supposed Americanisms, pp. 6, 7.

the terms under discussion.[1] But while they appear never to have been introduced into the South,[2] and while their existence in the West was of short duration, they have yet succeeded in finding their way across the northern boundary of New England, and are now current in New Brunswick.[3] It may be added that both terms are absolutely unknown in the British Isles.[4]

[1] Professor O. F. Emerson, of Western Reserve University, writes me from Cleveland, Ohio, that "no one here is able to tell me of their use." Professor G. C. S. Southworth, of Salem, Ohio, writes from that place: —

"While in Cleveland I met several gentlemen, who are familiar with the Western Reserve and the State of Ohio. I received categorical replies that they had never heard the word Interval or Intervale used popularly in Ohio. I am satisfied that the word is not used in this State, for bottom-land, or meadow."

[2] No example of the terms south of Pennsylvania is known to me.

[3] In his Preliminary Report on the Surface Geology of New Brunswick 1885, G G 48, R. Chalmers writes: —

"Intervales accompany every river in New Brunswick with greater or less breadth, and comprise thousands of acres of the very best lands. . . . The freshets deposit a thin stratum of silt upon them, which, by yearly increments, has given them their present thickness, and there seems no reason to doubt that these intervales have been wholly formed in this way, that is, from the sediments of spring freshets" (Geological and Natural History Survey of Canada, Annual Report, New Series, Vol. i.).

Our associate, Professor G. L. Kittredge, of Harvard University, has called my attention to the two following extracts from Australian books: —

"The alluvial lands of New South Wales, or what the people of New England would call *interval lands*, (I presume because they constitute the interval between the rivers and the open forest-country,) are in general heavily timbered" (J. D. Lang, Historical and Statistical Account of New South Wales, 1834, i. 89).

"These floods are not periodical. Until 1806 none of importance had occurred; the people had settled down on the rich 'interval' land, the deposit of former overflowings" (S. Sidney, The Three Colonies of Australia, 1852, p. 49).

As Sidney clearly copies from Lang, and as Lang refers to New England usage, these extracts do not prove that the term is in vogue in Australia; and the conclusion that the word is not there in use is confirmed by Professor E. E. Morris, of the University of Melbourne, the author of Austral English: a Dictionary of Australian Words, Phrases, and Uses, 1898. To an inquiry, Prof. Morris kindly replied as follows:

"I think I may say that none of the terms you mention as belonging to New England have taken root in Australia. You give two instances of the word 'intervale' from Australian books, but in both cases they are exotic, and the result of authors having read New England literature, not local to Australia."

[4] Since this paper was written, the section of the Oxford English Dictionary containing the terms in question has been published. From this it appears that the statement in the text requires modification to the extent of recognizing a single Scottish example, as follows: —

"This City of Fez is situate upon the bodies and twice double devalling faces . . . of two hills . . .; the intervale, or low valley betweene both . . . being the Center" (1632, Lithgow, Travels, viii. 365).

The history and the wide use of the terms are more fully illustrated by the extracts which follow. It should be observed that, unless otherwise indicated in the foot-notes, all the citations are from the writings of New Englanders.

Examples.

"ffirst ffor the maintainanc of the minestree of Gods holy word wee doe Allowe Covenant and Agree that there be laid out Stated and established, . . . thirty acors of vppland and fortie acords of Entervale Land and twelue acors of meddowe with free Libertie of Commons for Pasture and fire woood."[1]

"first he hath a peice of upland Laid out to him Sumtimes Called by the name of Still Riuer farm bounded Southwest by the enteruail . . . and westerly it buts upon the highway to the plumtrees enteruail."[2]

"That the old planters & their Assignes . . . reteine & keepe as theire propriety, (of such lands as they now clajme an Interest in) each of them only twenty acres of meadow twenty acres for the house lott ten acres Intervale land & tenn acres of other vplands."[3]

"I give to my Son Stephen my house and my house lott of Twenty acres at Nashaway and Twenty acres of Intervale Lands and all my Land at Hemp Swamp."[4]

"fforasmuch as the countrey hye way as it was formerly layd out by Lankaster and groaten vpon seuerall yeares triall, proued to be very insufficient and very difucult to be made passable in regard it was for the most part lyeing in the Intervailes wheirin their are seuerall soft places and litle brookes . . . Lankaster made application to groaten for Remouing of the said way to Run more vpon the vpland which was Readily atended."[5]

"There is no intervale nor meadow land in this tract of land that I moove for them."[6]

"Thrô this place [Ousetonuck] runs a very curious river, the same (which some say) runs thrô Stradford; and it has, on each side, several

[1] 1653, Early Records of Lancaster, Massachusetts, 1884, p. 27.

[2] 1659, History of the Town of Harvard, Massachusetts, 1894, p. 16.

[3] 1661, History of Middlesex County, Massachusetts, 1890, ii. 506/2.

[4] Will of S. Gates, 1662, in New England Historical and Genealogical Register, 1877, xxxi. 401.

[5] 1673, Early Records of Groton, Massachusetts, 1880, p. 46.

[6] 1685, Massachusetts Colony Records, v. 482.

parcels of pleasant, fertile, intervale land. . . . In this place [Kindarhook] y^r is very rich land; a curious river runs thrô the town, on ye banks of which y^r is some interval land." [1]

"It will be of Great Service to all the Western Frontiers . . . that so Much of the said Equivilant Land, as shall bee necessary for a Block House, bee taken up, with the consent of the owners of said Land; Together with five or six acres of their Interval Land, to be broke up, or plowed, for the present use of Western Indians (In case any of them shall think fit to bring their families)." [2]

"We . . . scouted up said N. W. branch about 10 mile, & found it to be a still stream fit for Conoes with plenty of Enterval, & old planting land of ye Indians." [3]

"*To be SOLD*, By *Joseph Burleigh*, A Plantation containing Two Hundred and odd Acres, situate upon *Stoney-Brook*, in the Eastern Division of *New-Jersey*, . . . It is fit for either Stock or Grain, having near fifty Acres of very good intervale Meadows, which is most of it ploughable and brings extraordinary good English Hay." [4]

"In some places our lands are interval or meadow upon the rivers, and by the sound the soil is fruitful, but the far greater part of the land in the Colony is mountainous, rocky and more barren." [5]

"I also see Pigwaket Plain or Intervale Land as also Pigwaket River which runs from the North West to the South East and cuts the aforesaid Interval to two Triangles, it lying North & South about eight miles in length & four in breadth." [6]

"Then marched over several Brooks and low places, but could make no discovery; and so marched to a River, called Currier-Sarge River, and found some Camps, supposed to be Indian camps, and there camped in the Intervale." [7]

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[1] 1694, B. Wadsworth, in 4 Massachusetts Historical Collections, i. 103, 104.

[2] 1723, in G. Sheldon's History of Deerfield, Massachusetts, 1895, i. 405.

[3] 1725, S. Willard, in Appalachia, 1881, ii. 343.

[4] 1730, Pennsylvania Gazette, 29 October–5 November, in New Jersey Archives, xi. 225, 226. This is the earliest example of the word known to me in print. Similar advertisements appeared in the New York Gazette of 30 July, 1733, and of 3 December, 1750 (New Jersey Archives, xi. 321; xii. 693).

[5] 1730, Colonial Records of Connecticut, vii. 581, 582.

[6] 1741, W. Bryent, in New-Hampshire Provincial Papers, vi. 351.

[7] 1746, A. Clough, in Collections of the New-Hampshire Historical Society, 1834, iv. 202.

"This scarcity of Hay I account for in this manner; Our first Planters who settled down by the Sea, and those who settled by the large Rivers and Intervale, Lands, found so much salt Marsh by the Sea-side, and those on the Rivers and Intervale found so much mowing Ground more than they had Occasion for, that they Improved only such Parts as were best and nearest at hand, and let the Rest lie." [1]

"The *Soil* along these Parts of Ohio and its Eastern Branches, though but little broken with high Mountains, is none of the best; consisting in general of low dry Ridges of White-Oak and Chestnut Land, with very rich interval low Meadow Ground." [2]

"With Mess: Jones and Ely, I rode to Northampton. . . . The *Meadows*, as the People here call the *Intervals*, are the best Fields I ever saw, very rich and very large." [3]

"I find at the back of my Patent here and at 10 or 12 Miles from the River, a small Piece which is an Intervale and I should be greatly obliged to you if you would grant it, on the Indians consenting thereto." [4]

"The two great rivers, Connecticut and Hudson's river, are most remarkable for large tracts of this interval land, which are so often overflowed as to need no other manure, the waters in a freshet bringing down so much muck from the mountains, like the waters of the Nile, as to keep the ground in good heart to bear a crop of wheat every year." [5]

"The land in Campton proposed as a site for the School is generally good, — great quantity of large white Pines; the situation pleasant; the stream, called Baker's River (a branch of Merrimack, by which logs are rafted to the sea), runs through it, on which are large intervales." [6]

"To be Sold at PUBLIC VENDUE to the highest Bidder, on the First Day of *August*, at Two o'Clock, P. M. A FARM in *Uxbridge*, containing about Two Hundred Acres, Fifty or more of which is choice Intervail for Tillage or Mowing, and a Crop of Grass and Grain on the same." [7]

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[1] 1749, J. Eliot, Essays upon Field-Husbandry in New-England, 1760, p. 23.

[2] L. Evans, Middle British Colonies, 1755, p. 28. This is the earliest appearance of the word in a printed book. Evans was perhaps not a New Englander.

[3] 1760, P. Coffin, in 1 Collections of the Maine Historical Society, iv. 262.

[4] 1764, Sir W. Johnson, in F. B. Hough's Diary of the Siege of Detroit, 1860, p. 254. Johnson was not a New Englander.

[5] 1764, T. Hutchinson, History of the Colony of Massachusett's Bay, Second Edition, 1765, p. 484, *note*.

[6] 1768, E. Cleaveland, in F. Chase's History of Dartmouth College and the Town of Hanover, New Hampshire, 1891, i. 104.

[7] Boston Gazette, 10 July, 1769, p. 2/3.

"When I first came into the town, which was upon the top of a hill, there opened before me the most beautiful prospect of the river, and the intervals and improvements on each side of it."[1]

"Departed half an hour past ten o'clock A. M. past several islands, and found the bank, on the west side, in many places high, we saw in many others high and intervale oak land; — not so much drowned land as the former days."[2]

"The lands which lie upon the *Ohio*, at the mouths of, and between the above *Creeks*, also consist of rich intervals and very fine farming grounds."[3]

"Removed our camp to the west side of the river, about 3 miles up; this is allowed by judges to be the best land they ever saw and sure I am that I never saw an equal to it, our garden spots in New Hampshire not excepted, the interval surpasses all description; the river Susquehanna on which this lies, abounds with fish."[4]

"But you, perhaps, will inquire why all the margins of the River Ohio and Muskingum are not taken up so far as we extend these lots on either side of them? Answer: They are so where there is any considerable body of Interval or Second Bottom bordering on them."[5]

"At the melting of the snows, the river [Connecticut] comes down in all its majesty; rising about fifteen feet perpendicular: and overflowing the land on either side. The lands which are overflowed are called *intervale*, are used as meadows, and occasionally sown with hemp and grain."[6]

"In this descent and passage to the ocean, all the larger rivers in this part of America, have also formed large tracts of intervale lands. By intervales we mean those low lands, which are adjacent to the rivers, and frequently overflowed by them in the spring and fall, or whenever the waters are raised to their greatest height. These intervales are level,

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[1] 1771, J. Adams, Works, 1850, ii. 273.

[2] B. Romans, Concise Natural History of East and West Florida, 1775, i. 317. Romans was born in Holland.

[3] T. Hutchins, Topographical Description of Virginia, Pennsylvania, Maryland, and North Carolina, 1778, p. 4. Hutchins was born in New Jersey.

[4] 1779, D. Gookin, in New England Historical and Genealogical Register, 1862, xvi. 29.

[5] 1788, R. Putnam, in M. Cutler's Life, Journals and Correspondence, 1888, i. 378.

[6] 1793, J. Drayton, Letters written during a Tour through the Northern & Eastern States of America, 1794, p. 104. Drayton was a South Carolinian.

and extensive plains; of the same altitude as the banks of the river; in width they often reach from a quarter of a mile, to a mile and an half, sometimes on one, and sometimes on both sides of the river. There are frequently two strata of intervales, the one four or five feet higher than the other; the highest of which is not overflowed, but when the waters are raised to an uncommon height; but they are level, and extensive like the others." [1]

"The floods, from time to time, have changed the beds of several of our rivers, as the different strata at twenty, thirty, and forty feet below the surface evince; and there is reason to conclude that the intervals have thereby been formed." [2]

"The intervales [in Ohio] are very fertile; and, on the borders of the rivers and creeks, the bottom-lands are from half a mile to a mile and a half, and sometimes more, in width, with great depth of soil. These are capable of being made into extensive and luxuriant meadow grounds." [3]

"It is natural to inquire into the motives which could tempt men to settle in a region so remote from commerce and the world: iron-mines, and some fine *interval land* (as it is here called) were the original attractions." [4]

"It is also easy by the geological and topographical features of a country, to predict the nature of the alluvial or intervale soils, which have been washed down from the hills and mountains by brooks, rivers and rain." [5]

"We had tracked
The winding Pemigewasset, overhung
By beechen shadows, whitening down its rocks,
Or lazily gliding through its intervals,
From waving rye-fields sending up the gleam
Of sunlit waters." [6]

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[1] S. Williams, Natural and Civil History of Vermont, 1794, p. 35.

[2] I. Allen, Natural and Political History of the State of Vermont, 1798, p. 5.

[3] T. M. Harris, Journal of a Tour into the Territory Northwest of the Alleghany Mountains, 1805, p. 96.

[4] 1806, T. Ashe, Travels in America, 1808, i. 13. Ashe was an Englishman. He alludes to Pennsylvania.

[5] C. T. Jackson, Third Annual Report on the Geology of the State of Maine, 1839, p. 124.

[6] 1844, J. G. Whittier, The Bridal of Pennacook, Poetical Works, 1888, i. 81.

"Beneath low hills, in the broad interval
Through which at will our Indian rivulet
Winds unmindful still of sannup and of squaw,
Whose pipe and arrow oft the plough unburies,
Here in pine houses built of new fallen trees,
Supplanters of the tribe, the farmers dwell."[1]

"The north bank of the St. Lawrence here is formed on a grand scale. It slopes gently, either directly from the shore, or from the edge of an interval, till, at the distance of about a mile, it attains the height of four or five hundred feet."[2]

"From the heart of Waumbek Methna, from the lake that never fails,
Falls the Saco in the green lap of Conway's intervales."[3]

"On the divide between the upper waters of the Roanoke and New River was a beautiful intervale, the pasturing ground of large game, known as Draper's Meadows."[4]

Dr. Fitzedward Hall remarks, in a letter, that it would be curious if it were to be proved "that, in the English of England, *interval*, in its ordinary sense, was ever spelled with a final *e* and pronounced *inter-vale*." While the expression "with-outen intervalle," translating the French phrase "*sans intervalle*," occurs in Chaucer,[5] it is probable that *interval*, in its ordinary sense, did not come into vogue in England until about the beginning of the seventeenth century.[6] During that century a few examples[7] are

[1] R. W. Emerson, Musketaquit, Poems, 1847, p. 228.

[2] 1853, H. D. Thoreau, A Yankee in Canada, Excursions, 1894, p. 51.

[3] 1856, J. G. Whittier, Mary Garvin, Poetical Works, 1888, i. 154.

[4] J. Winsor, The Mississippi Basin, 1895, p. 230.

[5] Works, 1894, iv. 226.

[6] An early instance is the following: —

"This is the freshest, the most busie and stirring Intervall or time betweene, that husbandmen have" (P. Holland, The Historie of the World, 1601, i. 591).

Dr. Murray's readers have been able to furnish him with but a single extract before Chaucer, and with but a single extract between Chaucer and Holland; and the statement in the text is confirmed by Dr. Murray's remark that "the appearances of the word till the beginning of the 17th c. are quite sporadic, having little or no historical connexion with each other."

[7] Sir George Downing wrote from England 8 March, 1647: —

"For the state of things heer, it hath been very various, not only in the time of warre, but more since: we having since the sheathing of the swourd some times enjoyed our lucide intervales, but then all hath quickly been o'reclouded, that no mortall eye could in

met with of *interval*, in its ordinary sense, spelled with a final *e*; but such examples are extremely rare, and there is no other evidence to indicate that, on either side of the Atlantic, the word, in its ordinary sense, was pronounced "inter-vale." Moreover, that the true derivation of *interval* from *intervallum* was recognized by some users of the word is shown by the occasional employment of *intervallum* itself, both as a Latin word[1] and as an English word,[2] and also by the definitions of lexicographers.[3] It is to be noted, also, that *interval*, in its ordinary sense, was a learned word, not one used by the people. When, about the middle of the seventeenth century, the word was employed by the New Englanders in its specialized American sense as a topographical word, meaning the space between the river and the uplands on either side, it at once came into popular use; and, the particular kind of land denoted by the term lying necessarily in valleys, it is probable that in their minds "vale" was very prominent. Thus the form Inter-

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the face of things see any thing but ruine" (4 Massachusetts Historical Collections, vi. 540).

"This Court in the intervales of the Gen^ll Court doe desire and impower the Governo^r and Assistants . . . to be a Council to order and transact such necessary occasions and concernes as shall be to be attended in the sayd intervalls of the General Court" (1682, Colonial Records of Connecticut, 1859, iii. 113).

In a letter of instructions written from London in 1683, it was ordered that — "no Street be laid close to the back of another without an Intervale of at least a pair of Butts" (New Jersey Archives, 1880, i. 431).

[1] In 1574, Archbishop Grindal wrote: —

"My fits of cholic, stone, and strangury are very grievous when they come; but God sendeth me some *intervalla*, else they were intolerable" (Remains, 1843, p. 351).

In 1644, the Rev. W. Chillingworth said: —

"These heatdrops, this morning dew of sorrow, though it presently vanish, and they return to their sin againe upon the next temptation, *as a dog to his vomit*, when the pang is over; yet in the pauses betweene, while they are in their good mood, they conceive themselves to have very true, and very good repentance; so that if they should have the good fortune to be taken away in one of these Intervalla, one of these sober moods, they should certainly be saved" (A Sermon Preached At the publike Fast Before his Maiesty at Christ-Church in *Oxford*, p. 18).

Dr. Murray gives examples from Mabbe (1622) and from N. Bacon (1647).

[2] In the Second Part of King Henry the Fourth, v. i. 91, Shakspere wrote: —

"I will denise matter enough out of this Shallow, to keepe prince Harry in continuall laughter, the wearing out of sixe fashions, which is foure terms, or two actions, and a shal laugh without interuallums" (Bankside Shakespeare, 1891, xiii. 170).

[3] For instance, J. Minsheu's Guide into the Tongues, 1627; and T. Blount's Glossographia, 1661.

Joseph McHenry.

vàle (as in "Íntervàle lánd"), with two accents, and perhaps influenced by an erroneous notion that the etymology was *inter* + *vallis*, came into existence.[1] We have already seen how the Reverend W. Hubbard alluded to land of this description — "such as they," that is, the people, "call intervail land," — the spelling indicating the popular pronunciation. Later, the true etymology may have reasserted itself, or, at all events, the word may have been once more associated with the ordinary word, and we find Interval, both as noun and as adjective, in common use. The spelling Intervale, however, was often preserved, even when the last syllable had been shortened. The secondary accent and the pronunciation *-vale*, were easily restored in speech whenever the rhythm or the sense was favorable or the speaker connected the word (in his mind) with *vale* "valley."[2]

The paper was discussed by Mr. DAVIS, who said he had supposed that an Intervale was devoid of wood; by President WHEELWRIGHT, who spoke of the Intervale on the Saco River; by Mr. HENRY WILLIAMS, Mr. GOODELL, the Rev. Mr. PARKER and others.

Mr. EDES exhibited a miniature on ivory of the Rev. Dr. Joseph McKean, for nine years Boylston Professor of Rhetoric and Oratory in Harvard College. It is not known who painted this miniature, — the only portrait of Professor McKean of which his family has knowledge.[3]

[1] On the word Intervale, Dr. Murray observes :—

"In former English use, only a rare variant or collateral form of INTERVAL: cf. OF. *entreval* and *entrevale*, *-valle*, and the 14–16th c. Eng. *intervalle*. But by Lithgow in 1632, and from 17th c. in New England, associated with *vale*, in the specific American sense 3.

"It is not clear whether the association with *vale*, *valley*, was, in the first place, one of popular etymology, favoured perhaps by the partial survival of the old variant form in *-vale* (cf. *intervail* in sense 2), or whether this was in New England a natural development of the sense, arising from the fact that the chief *intervals* in the primaeval forest were the bottoms of the river valleys, and giving rise to an association with *vale*, as used in English in such names as the Vale of Clwyd, Vale of Llangollen, Vale of the Yarrow, etc. It is possible that both principles operated together; and it is to be noted that, in this specific sense, *intervale* has not, even in American use, ousted *interval*."

[2] I wish to express my indebtedness to Professor Kittredge for aid rendered in the treatment of the etymology of the terms under discussion.

[3] Since this communication was made to the Society, a portrait in oil has been painted from this miniature by Mr. Joseph De Camp at the charge of Mr. Francis Randall Appleton (H. C. 1875), and by him presented to the Porcellian

Mr. EDES also communicated some verses commemorative of Professor McKean,[1] of which the following is a copy: —

THE FOUNT.

MR. RUSSELL. — If the following lines are worthy of your Fount, you are at liberty to insert them. I wish they were worthy of their subject. F.[2]

Club, of which Professor McKean was the Founder. Members of the Club will contribute to the new college fence, soon to be built, a gate, to be known as the McKean Gate. It will span the entrance to the College Yard between Boylston Hall and Wadsworth House.

[1] Professor Joseph McKean (H. C. 1794) was born at Ipswich, Massachusetts, 19 April, 1776, and died in Havana, 17 March, 1818. He was the minister of the First Church in Milton, Massachusetts (1797–1804), and, in 1809, succeeded John Quincy Adams as Boylston Professor of Rhetoric and Oratory in Harvard College. He was an active member of the Massachusetts Historical Society, of which he was Librarian, Cabinet Keeper, and Recording Secretary. A silver pitcher, presented by Dr. McKean's father to Mr. Samuel Curzon, in whose house Dr. McKean died, is still preserved as an heirloom. It bears the following inscription: —

Presented
to
Mr. Samuel & Mrs. Margaret Curson
by
William McKean
as a testimonial of his gratitude
to them
for their kind & affectionate attentions
to his Son,
Reverend Joseph McKean,
who died at their house in
Havanna
March the 17 A. D. 1818.

His body was buried in "nitch No. 345 of the Cemetery Espada en la Habana where it rested, undisturbed, until the year 1840 in which year all the nitches which were not re-rented were emptied of their contents and the bones were transferred to the osario, in other words, to the indiscriminate heap in the corners of the cemetery." The marble tablet placed over the nitch by Dr. McKean's father disappeared at the same time. A Memoir by Professor Levi Hedge is in 2 Massachusetts Historical Collections, viii. 157–167. See also Teele's History of Milton, pp. 260–265.

[2] These lines appeared in the Columbian Centinel of Saturday, 2 May, 1818, No. 3555, p. 4/1. It is not improbable that they were written by Levi Frisbie (H. C. 1802), who had recently passed from the chair of Latin to that of Philosophy at Cambridge. See Teele's History of Milton, p. 265 *note*.

LINES.

Occasioned by the death of Professor M'KEAN.

O MOURN not for the Good who die,
For goodness has a home on high,
And tears which fall when saints depart,
Refresh religion's soil, the heart.

O weep not that the staff is gone,
Which aged Israel rested on;
O weep not that he sleeps afar —
The world is one wide *Macpelah.*

O weep not that his body must
Be trodden down like common dust;
But weep that there remains behind
No traces of the mighty mind.

How few who live have dared to think;
How few who think have dared to do;
O weep then that a soul should sink,
Who boldly thought and acted too.

How seldom rays that reach the earth
Bear imprint of their heavenly birth;
Then who from sorrow can refrain
That heaven absorbs such rays again.

How few created minds have soar'd
Above the heights before explor'd;
How few will reach the height he dar'd!
O weep then that he was not spar'd.

Go mark the comet's bright career,
And trace its track when it is gone,
Say when another will appear,
And you may bid us cease to mourn.

The following passage from the Poem on Milton Hill, written by Henry Maurice Lisle[1] in 1803, refers to Dr. McKean: —

From 'midst the scatter'd domes that westward lie
MILTON'S fair spire attracts the wandering eye;

[1] Brief notices of Mr. Lisle are in Teele's History of Milton, pp. 144, 512; and Drake's Dictionary of American Biography. He was a lawyer, a prominent Free Mason, and the author of an Oration on Washington. He died in 1814.

With grief depicted o'er her beauteous face
The Muse dejected turn'd and viewed the place;
Then wiping from her cheek the trickling tear
To great Olympus thus addressed her prayer;
O! thou who did'st this blooming Eden form
"Who guid'st the whirlwind and direct'st the storm"
Who can'st in Mercy stay the fleeting breath
And wrest the victim from the grasp of death;
From Milton's pastor bid disease be gone.
Save science and the Muses favorite son:
Bid sage Minerva dry her flowing tears,
Bid pure Urania dissipate her fears.
In Mercy hear, — in kind compassion speak
And health again shall blossom on his cheek;
Again his lustrous periods, fraught with sense,
Again his matchless powers of eloquence
Shall charm the ear, instruct the ignorant mind,
Convince the sceptic and reclaim mankind:
Thousands in gratitude with one acclaim
Shall chant their pæans to thy holy name,
In songs of praise shall hallelujahs rise,
And swelling chorus reach the vaulted skies.

IMPROMPTU.[1]

STANZAS — Upon seeing an imperfect portrait[2] sketched from memory of the late and lamented Professor McKEAN.

HOW vain the Painter's classic aim
To *keep* that clear and glorious eye,
Whose rays from Heaven's unearthly flame
Touch'd close on immortality!

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[1] These stanzas are in manuscript, and their authorship is not known. They appeared in the Columbian Centinel of Wednesday, 20 May, 1818 (No. 3560, p. 4/1), preceded by this paragraph —

"☞ We recognize in the following, the PEN which often times has delighted and instructed our readers and conferred unfading renown on American GENIUS and POESY. It has been deeply lamented that a HARP so tuneful, should have 'so long hung on the willows.'"

A "corrected" version of these lines appeared in the next issue of the Centinel, — of Saturday, 23 May, 1818 (No. 3561, p. 4/1), which has been followed in our own text. The manuscript version combines the "Lines" and the "Impromptu."

[2] Professor McKean's family know nothing of this portrait and will welcome any information concerning it.

As vain the peaceful smile to trace,
Which warm in life's affections grew,
And spoke of soul — a native grace,
To all the sacred feelings true.

Perfection not to man is given,
But thou, McKean, so kindly shone,
That loved by earth, and blessed by heaven,
Both claimed thy virtues as their own.

Frail were the wish, those stores of mind,
That genius to God's Image near;
Like the winged eagle — earth-confined —
Were left and lent to languish here.

EPITAPH ACROSTICK.[1]

Join, friends of Worth, bring all funereal flowers
O'er this new grave to shed in copious showers;
Strike every string attun'd to deepest woe;
Enlist each heart that feels afflictions throe;
Prepare appropriate wreathes with care to blend,
Here lies Religion's, Virtue's, Honour's friend.

McKean lies here, let nothing base intrude:
Keep hence Impiety, Ingratitude
Each fiend of darkness. — To your sacred trust,
Angels of Light approach, and guard this dust
Nor leave, till rais'd to life among the just.

The Rev. HENRY A. PARKER made some Remarks upon the Quakers of the Middle States and their marriage customs, and exhibited an original Marriage Certificate, on parchment, dated the second day of the fourth month, 1709, of Dr. Richard Moore (son of Mordecai Moore, of Ann Arundell County, Maryland) and Margaret Preston, daughter of Samuel

[1] This composition is in manuscript, and its authorship is unknown. It was printed in the Columbian Centinel of Saturday, 18 April, 1818, No. 3551, p. 4/1.

The Centinel of Wednesday, 22 April, 1818 (No. 3552, p. 2/4), contains a notice that —

"The Solemnities appointed by the Government of the University at Cambridge, as a tribute of respect to the memory of the late Rev. Dr. McKEAN, . . . will take place in the University Chapel this afternoon, at 3 o'clock."

In the same issue (p. 4/1) is an obituary taken from the Daily Advertiser.

Preston of Philadelphia. The Certificate bears the signatures, as witnesses, of a large part of the prominent residents of Philadelphia. The Certificate was accompanied by a photographic copy of a portrait of Dr. Moore supposed to have been painted in Edinburgh, where he studied medicine prior to his marriage.

Mr. EDES exhibited three similar certificates, — of Michael Kennard (1734) of Kittery, and of William Ricketson (1708) and John Ricketson (1763) of Dartmouth, Massachusetts.

Mr. DAVIS stated that he had recently signed a certificate of this character upon the occasion of the marriage of his youngest son, Mr. Horace Andrew Davis (H. C. 1891), to a Quakeress.

DANIEL COIT GILMAN, LL. D., of Baltimore, Maryland, FREDERICK JACKSON TURNER, Ph. D., of Madison, Wisconsin, and WILLIAM WOOLSEY WINTHROP,[1] LL. D., of Washington, D. C., were elected Corresponding Members.

[1] Colonel Winthrop died at Atlantic City, New Jersey, on the eighth of April, before receiving notice of his election. He graduated at Yale in the Class of 1851, and served through the Civil War as a volunteer. He subsequently entered the Regular Army and was Professor of Military Jurisprudence at West Point. Some time after leaving college Colonel Winthrop discarded his middle name.

APRIL MEETING, 1899.

A STATED MEETING of the Society was held in the Hall of the American Academy of Arts and Sciences on Thursday, 27 April, 1899, at three o'clock in the afternoon, President WHEELWRIGHT in the chair.

After the Minutes of the March Meeting had been read and approved, the PRESIDENT appointed the following Committees, in anticipation of the Annual Meeting: —

To nominate candidates for the several offices, — the Right Reverend WILLIAM LAWRENCE, the Hon. FRANCIS C. LOWELL, and Mr. CHARLES SEDGWICK RACKEMANN.

To examine the Treasurer's Accounts, — Messrs. GEORGE NIXON BLACK and G. ARTHUR HILTON.

The CORRESPONDING SECRETARY communicated the following letter: —

JOHNS HOPKINS UNIVERSITY,
BALTIMORE.

PRESIDENT'S OFFICE.

March 18, 1899.

DEAR SIR, — I have the pleasure of acknowledging your favor of the 15th instant and of saying that I highly appreciate the honor of being enrolled as a Corresponding Member of The Colonial Society of Massachusetts.

I am, dear Sir,

Very truly yours,

D. C. GILMAN.

J. NOBLE, ESQ.

Mr. ANDREW MCFARLAND DAVIS read the following paper on —

THE CURRENCY AND PROVINCIAL POLITICS.

THE apparent unanimity with which the people of the Province of the Massachusetts Bay joined in their resistance to the Stamp Act and the Tax on Tea, and the indignation aroused by the

attempt of the British Government to collect revenue in the Province, awaken surprise on the part of the reader who relies upon the sources of information as to the history of the Province at ordinary command. The sudden transformation of a loyal people into rebels seems unaccountable. It may safely be asserted that this surprise would not be felt if the Records of the Province were in more accessible form. The publication by the House of its Journals after the year 1715 has placed a portion of these Records on the shelves of a few of our great libraries, but, unfortunately, no single set of these Journals is complete, and the earlier volumes are not only scattered, but some of them are very rare. These publications, consequently, aid the general student but little in opening up the subject. He, however, who engages in a topical investigation covering the Provincial period is compelled to run down the scattered volumes of the House Journals, to wade through the manuscript Records of the Council, and to search for material in the great chaos of the Archives. In default of a special study directed to the point above suggested, it is to investigations of this sort that one must turn for sidelights upon the political discussions which tended to unify Provincial opinions. Among the various questions which bore an important part in this work was that of the Currency. As we trace out its story through the Records, we can simultaneously follow the development of the strained relations between the Legislative and the Executive branches of the government which paved the way for the assertion by the people of what was then frequently termed "independency." Through the discussions which then took place the inhabitants of the Province were led to criticise the attitude of their rulers, to oppose the Royal Instructions, and to uphold their representatives in their opposition to the Crown officers even in cases where the grounds of this opposition were not clearly defensible.

"The people of America [says John Adams] had been educated in an habitual affection for England as their mother country; and while they thought her a kind and tender parent (erroneously enough, however, for she never was such a mother) no affection could be more sincere. But when they found her a cruel Beldam, willing, like Lady Macbeth, to 'dash their brains out,' it is no wonder if their filial affections ceased and were changed into indignation and horror.

"*This radical change in the principles, opinions, sentiments, and affections of the people was the real American Revolution.*"[1]

If we eliminate the exaggerated violence from this statement, no person will be disposed to deny the truths which it contains. The existence during the first half of the eighteenth century of a strong feeling of loyalty on the part of the colonists cannot be doubted, and it is obvious that so complete a change as is implied in the conversion of a loyal people, full of affection for the mother country, to the state of mind which could tolerate the thought of armed resistance, must have been brought about by some slow process. A writer who has recently made a careful study of the functions of the Provincial Governor has expressed a thought somewhat akin to this in the following language: —

"Rightly then to understand the deeper forces which produced the war of independence, one must understand the gradual growth of that sense of divergent interests without which all the political agitation of Samuel Adams, the eloquence of Patrick Henry, and even a few injudicious measures of British statesmen from 1760 to 1774, could hardly have led to revolution. Nowhere can this gradually awakening consciousness of divergence, so far as it reveals itself prior to what is commonly called the revolutionary era, be better studied than in the conflicts between the provincial governor and the provincial assembly."[2]

This divergence of interest had existed from the beginning and was inherent in the English conception of the functions of a colony. The various commercial Companies which had been established in England for the purpose of colonization were all founded in the thought of gain. This might be of two sorts, — gain to the stockholders or gain to the country at large. So far as the early American adventures were concerned, they were invariably disastrous to the capitalists who fostered them; but whatever the result to the colonists or to the Company, the sole interest taken by the government rested upon the gain, present or prospective, to

[1] Letter to Hezekiah Niles, editor of the Weekly Register, 13 February, 1818, in Novanglus and Massachusettensis; or Political Essays, published in the years 1774 and 1775, on the principal points of controversy between Great Britain and her Colonies, *etc.*, Boston, 1819, p. 233.

[2] The Provincial Governor in the English Colonies of North America, by Evarts Boutell Greene, New York, 1898, in Harvard Historical Studies, vii. 205.

be derived from the enterprise. No thought was given to the possibility that the Colonists might have other interests than such as were directly contributory to the welfare and prosperity of the mother country. Long after the number of the inhabitants of the Colonies of North America had risen to hundreds of thousands, when generation after generation had been born in the Colonies, and had lived and died there without personal knowledge of the transatlantic kingdom the rulers of which claimed the right to direct the affairs of their governments, they were still treated as if they were mere temporary sojourners whose ultimate interests were vested in Great Britain, and who would endure arbitrary trade regulations and submit to narrow commercial restraints because the same were supposed to be for the benefit of the distant government of which they knew nothing except through its resident Representative. They were of the realm, but not in the realm. They were subjects, and when in England had the same rights as Englishmen, but the laws which were made by Parliament for the regulation of Colonial trade and commerce and, at a later date, of Colonial manufactures, reached them but did not affect the average Englishman. Like much of the penal legislation in the statute books at that time, these laws were so unjust that many of them were incapable of enforcement.

At the outset, there was no precedent by which it could be determined what power Parliament actually held over the Colonies. In 1678, the General Court, answering sundry objections which had been raised by the Lords of the Committee to their legislation, said: —

> "That for the acts passed in Parljament for incouraging trade and nauigation, wee humbly conceive, according to the vsuall sayings of the learned in the lawe, that the lawes of England are bounded wthin the fower seas, and doe not reach Amerrica."

The next sentence begins, —

> "The subjects of his maj^{ty} here being not represented in Parljament."[1]

This, obviously, forms a qualifying phrase of the previous sentence, explanatory of the cause why they thought that the laws of Parliament did not apply to them. Parliament, having the power,

[1] Massachusetts Colony Records, v. 200.

decided the question in its own favor, and in this decision the Colonists acquiesced. In consequence, the doctrine of no taxation without representation lay dormant until revived by James Otis, who declared that —

"the parliament of Great Britain has an undoubted power and lawful authority to make acts for the general good, that by naming them [*i. e.* the Colonies], shall and ought to be equally binding, as upon the subjects of Great Britain within the realm. . . . [It was] from and under this very power and its acts, and from the common law [he asserted], that the political and civil rights of the Colonists [were] derived."[1]

One of these, he claimed, was that which had been asserted by the General Court in 1678.

The restraints imposed upon commerce and trade were a far greater threat to the ultimate prosperity of the Colonies than could be found in such Parliamentary legislation as the Stamp Act, and the Townshend Tax Act, the passage of which aroused such a storm of indignation just before the Revolution. John Adams lays bare the secret of this endurance when he says, —

"These Acts [the Trade Acts] never had been executed, and there never had been a time when they would have been, or could have been, obeyed."[2]

The voluminous reports and complaints of Randolph, forwarded to the Board of Trade and to his friends in England when he was vainly attempting to enforce the Navigation Act in Boston, bear testimony to the entire truth of this assertion, so far as it applies to affairs in the days of the Colony. In addition to that evidence we have the admission of the Privy Council that they knew that this was the case. In a letter to the Governor and Company of Massachusetts Bay, dated 21 October, 1681, they say, —

"We appointed Edward Randolph Collector of our Customs in Massachusetts, to check the breaches of the Acts of Trade and Navigation frequently practised and connived at therein. We are well satisfied that Edward Randolph has discharged his duty with all diligence and fidelity,

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[1] The Rights of the British Colonies asserted and proved. By James Otis, Esq. Boston, MDCCLXIV, p. 33.

[2] Novanglus and Massachusettensis, *etc.*, p. 245.

yet, because unlawful trading is countenanced by you, all his care has been of little effect." [1]

With regard to the collections of revenue in the days of the Province, an advocate of the new system said, in 1765, —

"The whole Remittance [of Collectors] from all the Colonies at an Average of thirty Years has not amounted to 1900*l.* a year.[2] [And again:] Such has been the Disregard of all Revenue Laws in *America*, that this has produced hardly any Thing, tho' the Commodity has been imported all the time in great Quantities." [3]

Smuggling was so constantly carried on, and the Navigation Laws were so openly evaded, that testimony to that effect is hardly needed, but if it were, this author furnishes the evidence: —

"Ships [he says] are continually passing between our Plantations and *Holland, Hamburg*, and most of the Ports on the *German* Ocean, and in the *Baltic* (p. 92). Foreign Goods [he adds] illegally run into the Colonies amount in value to no less than 700000*l. per Annum*, which exceeds by far the Value of those foreign Goods that are conveyed thither thro' *Great Britain*" (p. 93).

So long as this was the case, it mattered but little to the Colonists that the avowed purpose of the Act for the Encouragement of Trade,[4] while it asserted that the plantations were peopled by subjects of the kingdom, was for keeping those subjects "in a firmer dependence" upon that kingdom. Assertions of that sort, or even the passage of Acts imposing duties on molasses, the collection of which would have destroyed the trade of the New England Colonies with the West Indies, were of little consequence, so long as such assertions were mere words and such Acts were not enforced. This was not, perhaps, fully appreciated in England. It was known that the laws were on the statute

[1] Calendar of State Papers, Colonial Series, America and West Indies, 1681–1685, No. 264, p. 128. See also Publications of the Prince Society: Edward Randolph, by Robert Noxon Toppan, iii. 111, where the letter is given with some differences of phraseology.

[2] The Regulations Lately Made concerning the Colonies, and the Taxes Imposed upon Them, considered. London, 1765, p. 57. This tract is attributed to George Grenville.

[3] *Ibid.* p. 79.

[4] 15 Charles II., 1663, ch. 7, § 5. The Statutes at Large (edition of 1735), ii. 627.

books, but the extent to which they were ignored in the Colonies was not generally comprehended. Lord Mansfield, rehearsing in Parliament the evidences of the dependent condition of the Colonies, unconsciously betrayed the utterly impracticable idea of the relationship between such dependencies and the parent government which then prevailed. The Navigation Act, he said, shut up their intercourse with foreign countries; their ports have been made subject to customs and regulations which have cramped and diminished their trade; and duties have been laid affecting the very inmost parts of their commerce. Such were the post-office Acts; the Act for recovering debts in the plantations; the Acts for preserving timber and white pine; and the paper-currency Act. The legislature have even gone so low, he added, as to restrain the number of hatters' apprentices, and have, in innumerable instances, given forfeitures to the king; yet all these have been submitted to peaceably; and no one ever thought till now of this doctrine, — that the Colonists are not to be taxed, regulated, or bound by Parliament.[1] Forcible as is this complacent recital of the wrongs which Parliament had intended to inflict upon the Colonies, it is but partial and incomplete. Still, it was one of the signs which enabled the Colonists to realize that the spirit remained the same and that apparent moderation meant merely that the old policy of rigid laws and loose enforcement was to be superseded by legislation, specifically for revenue, less arbitrary in its nature but more practical in character. The purpose of this legislation was not apparent upon its face. If we turn to the author from whom several quotations have already been made, we shall find what it was.

"In other Countries [he says] Custom-house Duties are for the most Part, little more than a Branch of the Revenue. In the Colonies they are a political Regulation, and enforce the Observance of those wise Laws to which the great Increase of our Trade and naval Power are principally owing. The Aim of those Laws is to confine the *European* Commerce of the Colonies to the Mother Country: to provide that their most valuable Commodities shall be exported either to *Great Britain* or to *British* Plantations; and to secure the Navigation of all *American* Exports and Imports to *British* Ships and *British* Subjects only."[2]

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[1] Bancroft's History of the United States (edition of 1883), iii. 193. These Remarks of Lord Mansfield were made in 1766.

[2] The Regulations, *etc.*, p. 88.

The full measure of what is involved in the foregoing extract was not perhaps fully appreciated at that time in Massachusetts, but it was felt that laws, the nominal purpose of which was to raise revenue, were, for the first time, about to be actually enforced through a powerful Custom House régime; and it was then that the country was alarmed and that the spirit of opposition asserted itself in the overawing of the officers appointed to enforce the Stamp Act and in the destruction of the Tea in Boston Harbor. The revival of the policy which sent Randolph to Boston brought with it a renewal of the tactics employed at that time to defeat his efforts.

The prosperity of the Province depended largely upon its shipping, but the community was self-supporting, and there was a large agricultural population whose interests were affected only in an indirect manner by restrictions upon trade and manufactures and taxes upon imports. It is easy to understand why a belief that the government was about to enforce the various restrictive and revenue Acts should have aroused those who were directly interested in commerce; but some explanation is required for the sympathy of the agricultural community and the alertness with which they accepted the new attitude of Parliament as one hostile to their interests. This is to be found in the prolonged conflicts between the Assembly and the Royal Governors, especially that upon the subject of the Currency, which had awakened universal interest throughout the Province, which had created a feeling of hostility to the representatives of the Crown and which had, in a great measure, crushed the sentiments of loyalty and affection of which so many writers speak. Thus, the state of mind was produced which John Adams denominates "the real American Revolution." The Representatives had taken care, throughout this discussion, to keep their constituents informed with reference to these disputes by constant appeals for instruction to the Selectmen of the Towns; and thus farmers, tradesmen, and laborers were taught Provincial politics.

Bancroft, speaking of the controversy over Dudley's salary in 1702, says, "Here began the controversy which nothing but independence could solve."[1] This, however, does not date the

[1] History of the United States (edition of 1840), iii. 100.

beginning of the controversy far enough back. Phips wanted a salary as well as Dudley, but this was refused him, and under the guidance of Elisha Cooke the stand then taken upon the salary question was one of the steps in the great struggle which, by slow degrees, developed ultimately into the assertion of independence. At first it was a mere conservative attempt to preserve, under the new Charter, such of the rights to which the Colonists had been accustomed under the former Charter as could be maintained. Among those who were trying to save some of the principles of independent action which had characterized the government organized under the first Charter, there were some who saw in the dependence of the Governor upon the Assembly for his compensation, a weapon which would be available in case of contest, and it was owing to their foresight that the settlement of a salary was avoided. Compensation was freely granted to the Governor and Lieutenant-Governor, but never in the form of a salary. The chronic disputes upon this point were closely interwoven at times with questions connected with the supply bills, and in the interchange of messages between the House and the Governor the plainest of language was used upon both sides, as to what ought to be done, what would be done, and what would not be done. The situation in which Dummer found himself in 1727 and 1728, the hitches that then occurred in connection with the various schemes suggested for securing a new supply of bills of public credit, and, finally, the charge made by Burnet that the Assembly had used their control of the salary question to secure the assent of the Lieutenant-Governor to an emission of currency, illustrate the complications brought about by these disputes. They were maintained with intermittent vigor under each of the representatives of the Crown who chanced to be at the head of affairs, their energy and virulence being largely determined by the character of the Governor or Lieutenant-Governor for the time being.

One point which was frequently under discussion during this period had the effect of keeping constantly before the people the question of their rights under the Charter and the possibility of those rights' being invaded. The subject of discussion referred to was the extent to which the Assembly could be brought under the control of Royal Instructions. It is true that no direct efforts were made by the Crown to instruct the Assembly how it

should legislate; but, indirectly, through Instructions to the Governors to secure the passage of certain laws and not to approve others, it was sought to influence legislation. That which was not desired could be absolutely prevented from taking effect, since all laws were subject to the approval of the Governor, and were also submitted for approval or rejection to the Privy Council. This power of control rendered the Royal Instructions of great moment to the Assembly; but, inasmuch as they were seldom communicated to that body, except in cases of emergency or under pressure, they were not treated with much respect, even when specific knowledge of their character was furnished by the Governors.

The Instructions were subject to interpretation, and the Representatives appeared to think that in the power of interpretation the Governors could make the Instructions plastic enough to fit every emergency. When the Council advised the Governor that the Instructions would not permit him to sign a bill involving the emission of currency, the House said: —

"We cannot but please ourselves, had a more general and proper question been put they had given their advice to your honor to sign the bill."[1]

At another time they thought the difficulty lay in the —

"instructions as now understood and improved by his Excellency;"[2]

and the same idea is involved in the request of the Council that the Governor should —

"take such measures that he may be enabled to give his consent to the said bill as soon as may be."[3]

When the Representatives asserted that if they did —

"not struggle in every way to maintain and preserve their liberty they would act more like vassals of an arbitrary prince than like subjects of King George their most gracious Sovereign,"[4]

we need to be told that the subject under discussion was a Royal Instruction from that most gracious sovereign, if we are fully to appreciate the force of the statement. The Provincial courts of

[1] Massachusetts House Journal, 29 January, 1727–28.
[2] *Ibid.*, 21 August, 1731.
[3] *Ibid.*, 2 February, 1731–32.
[4] *Ibid.*, 2 April, 1741.

law did not hesitate to disregard such Instructions when, in their judgment, they contravened the rights of the litigants or the courts under the Charter;[1] and the Agents of the Province in London did not scruple to advise the Assembly that it was better to force Parliament to intervene than to submit to Instructions which invaded the rights of the people.

"Of what Value [said Wilks and Belcher, in 1729,] is the Charter, if an Instruction shall at pleasure take away every valuable part of it? If we must be compelled to a fixt Salary, doubtless it must be better that it be done by the supream Legislature than to do it our selves: if our Liberties must be lost, much better they should be taken away, than we be in any measure accessory to our own Ruin."[2]

When the attempt was made, in 1749, to secure the enforcement of Royal Instructions in the Colonies, through Parliamentary legislation in connection with the currency, William Bollan said, in a Petition to the House of Commons (6 April), that if the Bill—

"should be carried into a Law, by the Matter therein contained, for enforcing the Royal Orders and Instructions throughout the Colonies, all future Orders given by all future Princes, or by and under their Authority, to the Governors of the Colonies, however repugnant they may be to the present Constitution of *Great Britain*, and her Colonies, will be virtually contained in it, and receive the Sanction of Parliament from it; and that the Orders to those Governors, being in their Nature relative to the People under their Government, however illegal they would have been before making such Law, when they come to be ratified and enforced by it, they will thereby themselves become Laws, and necessarily bind the People.[3]

It is to the credit of Parliament that it listened to Bollan, and rejected the clause in the law concerning which he was arguing; but the discussion revealed possibilities to which the eyes of the people were gradually opening. We certainly have hints here of a progressive change in the opinions of the people of the Province as to certain methods of the Royal government which indicate an alien-

[1] See the case of Frost *v.* Leighton in the American Historical Review for January, 1897, ii. 229–240; and Publications of this Society, iii. 246–264.

[2] Massachusetts House Journal, 27 June, 1729, p. 16. This letter of the Agents is dated London, 25 April, 1729.

[3] Journals of the House of Commons, xxv. 815.

ation of their affections, and which, if not radical enough to mark the epoch of the "real American Revolution," at least point out a steady tendency towards the state of mind which would render it possible.

In 1740, under the influence of the fear of a stringency of the circulating medium, created by the Instructions to the Governor to compel the withdrawal of the greater part of the currency, the Land Bank, originally proposed in the Province in 1714, again raised its head. Hutchinson, speaking of the House of Representatives then in power, says: —

"It appeared that by far the majority of the representatives for 1740 were subscribers to or favorers of the scheme, and they have ever since been distinguished by the name of the land bank house." [1]

With great caution he adds, farther on, —

"Perhaps the major part, in number, of the inhabitants of the province openly or secretly were well wishers to it." [2]

If we turn to the records of that time, we find that the capitalists and hard-money men, powerless to control public sentiment, powerless also, as they found themselves, upon trial, to accomplish anything through their counter scheme, the Silver Bank, appealed to Parliament.

"The authority of Parliament [says Hutchinson] to controul all public and private persons and proceedings in the colonies was, in that day, questioned by nobody." [3]

And he adds, that the application for an Act to suppress the Company was very easily obtained. Too easily, alas! for those who knew all the circumstances of the case, ever again to believe that Parliament could be trusted to legislate for the Colonies. Any man who could read could see that the Act of the 6th of George the First, Chapter 18, did not, by its terms, apply to the Colonies, so that every intelligent person in the Province must have understood that a great wrong was done in thus declaring that the organizers of the Land Bank came within the scope of that drastic measure. Some persons in the Province knew that the law officers

[1] History of the Province of Massachusetts Bay (edition of 1768), ii. 394.
[2] *Ibid.* ii. 395.
[3] *Ibid.* ii. 295.

of the Crown had been consulted, and that they had rendered opinions that there was no existing law under which such an experiment in banking could be reached. There were some who knew that the New Hampshire Bank of 1734 had actually met with approval by the Board of Trade, and yet, when the opportunity came for applying this doctrine of approval to men in Massachusetts engaged in an enterprise of a similar nature, it was discovered that their acts were no longer legal and permissible, but had become, in some strange way, criminal and abhorrent. A law which could not have been interpreted as reaching to the Colonies was declared to have originally applied to them, to have been constantly in operation there, and to be at that time in full force in the Province of the Massachusetts Bay. The majority of the House of Representatives, the majority perhaps of the people of the Province, were converted by this Act from innocent, law-abiding citizens either into actual violators of the law, liable to criminal process, or into what was nearly as bad, — avowed sympathizers with others who were thus situated. How this was looked upon by those who believed in the power of Parliament to legislate as it pleased concerning the Colonies, is disclosed by Hutchinson in the following words: —

"It was said the act of George the first, when it passed, had no relation to America, but another act 20 years after gave it a force, even from the passing it, which it never could have had without. This was said to be an instance of the transcendent power of Parliament." [1]

At the time when Hutchinson thus glibly wrote of an Act giving force to a previous one, "even from the passing it, which it never could have had without," he had abundant reasons for comprehending that something had aroused the people of Massachusetts, and it is difficult to comprehend how he or any other inhabitant of the Province could have calmly contemplated legislation of this character. It must be borne in mind, however, that the capitalists and intelligent business men were then in a state of heated indignation, and were prepared to avail themselves of any method which presented itself for the suppression of the Land Bank. There were some, however, who understood that the influence of these proceedings upon public sentiment was far reaching and important. The

[1] History of the Province of Massachusetts Bay (edition of 1768), ii. 396.

subscribers to the Land Bank, believing that they had a perfect right to proceed, were loath to recognize the Parliamentary Act, and reluctantly consented to liquidate the affairs of the Bank. Many of them were, apparently, ready to resist the enforcement of the law; but wiser counsels prevailed, and partly through the voluntary acts of the subscribers, partly through Provincial legislation, the Bank was wound up.

Under the Act of Parliament, every act performed by the subscribers to the Land Bank, under their organization, was null and void. In order to close up the Bank, it was absolutely necessary to recognize the obligations of the Company, and, in turn, those given to the Company by the subscribers. Thus, by Provincial legislation, passed for the purpose of effecting the object aimed at by the Act of Parliament, the Act itself was swept aside. This paradoxical proceeding was referred to by Samuel Adams in a Reply, on the part of the House of Representatives, on the second of March, 1773, to the Speech of the Governor of February sixteenth: —

"The act of Parliament [said Adams], passed in 1741, for putting an end to several unwarrantable schemes, mentioned by your Excellency, was designed for the general good; and, if the validity of it was not disputed, it cannot be urged as a concession of the supreme authority, to make laws binding on us in all cases whatever. But, if the design of it was for the general benefit of the province, it was, in one respect at the least, greatly complained of, by the persons more immediately affected by it; and to remedy the inconvenience, the Legislative of this province, passed an act, directly militating with it; which is the strongest evidence, that although they may have submitted, *sub silentio*, to some acts of Parliament, that they conceived might operate for their benefit, they did not conceive themselves bound by any of its acts, which, they judged, would operate to the injury even of individuals." [1]

When this Act was passed, John Adams was a mere boy of about six years of age. The ceaseless passage of the years bore him on to a period of life when he took an interest in public affairs, and still the protracted legislation and litigation connected with the closure of the Land Bank occupied the attention of the Assembly and the courts of law. When he speaks of the effect

[1] Massachusetts State Papers. Speeches of the Governors of Massachusetts, from 1765 to 1775; and the Answers of the House of Representatives to the same, *etc.* [edited by Alden Bradford], Boston, 1818, p. 394.

of these proceedings upon the popular mind, he furnishes testimony which may be accepted as that of one who had full knowledge of these events. His measure of their importance, stated in the following language, leaves no doubt upon that point: —

"The Act to destroy the Land Bank Scheme raised a greater ferment in this province than the stamp-act did."[1]

As we review these events, we can see that the preposterous legislation of Parliament, although incapable of practical enforcement, was made use of as a blind, behind which laws which violated its terms were passed to accomplish its purposes. Its evasion by the Assembly brought the question of Parliamentary Supremacy under discussion. The enforcement of the Provincial Laws passed to put it in practical operation, although acquiesced in by the capitalists and the solid men of the community on account of the good thereby to be accomplished, was not secured without arousing indignation and hostility throughout the Province.

"It's supposed [wrote one of the pamphleteers of the day, that] there will be about One Thousand Subscribers, who in their Station of Life must have an Intercourse of Business or Dealing interwoven with Ten Thousand more."[2] "Many Towns [wrote another] take and pass these Notes in Trade and Business, scarce one Man dissenting, besides paying their Town and Ministerial Rates with it; at least in Part."[3]

As we look over the list of Directors of the Land Bank we see the name of Samuel Adams, and in later Reports of Committees his estate is classed among the delinquents. It is known that the harassing proceedings taken against the estate of the father were a source of annoyance to the son, whose prominence in the political affairs of the Province just before the Revolution has made us familiar with the name. The defiance by the latter of the Sheriff who was trying to levy upon his father's estate, was published in the News-Letter in 1758.[4] Who shall measure the effect of these pro-

[1] Novanglus and Massachusettensis, *etc.*, p. 39.

[2] A Letter from a Country Gentleman at Boston, To his Friends in the Country, p. 9. The Letter is dated, "*Boston, June* 10*th*, 1740."

[3] A Letter To the Merchant in *London*, To whom is Directed A Printed Letter relating to the *Manufactory Undertaking*, dated *New England*, Boston February 21*st* 1740, 1. Printed for the Public Good. 1741, p. 28.

[4] The Boston News-Letter, Nos. 2927 and 2928, of Thursday, 17 and 24 August, 1758.

ceedings upon the mind of the future inspirer of the Committees of Correspondence, — the indefatigable and persistent leader in the revolutionary movement? The success of this movement is largely attributable to these Committees of Correspondence. Who can doubt that the idea of thus arousing the people and keeping them in touch with the contest, had its root in the frequent appeals to the Selectmen of the Towns made by the Representatives during these prolonged discussions? Who can fail to see that the Land Bank, if it had been let alone, would have collapsed in a few months after its organization through its inherent weakness? Yet Parliament, too impatient to wait for this, and too anxious to secure the prompt closure of the Scheme to scrutinize the methods by which it should be accomplished, sacrificed its reputation for consistency and justice, and in its haste to crush the Land Bank resorted to means which then aroused the indignation of this great number of interested persons, and which can not fail to create the same feelings in the mind of the disinterested reader to-day.

As we rehearse these events, who can doubt the instrumentality of the heated discussions concerning the Currency and the Land Bank, the prolonged conflicts between the Royal Governors and the Representatives, and the frequent appeals to the Selectmen by the Representatives, in creating that state of opinion which John Adams said "was the real American Revolution"?

The paper was discussed at length by Mr. ABNER C. GOODELL.

Mr. HENRY H. EDES communicated a collection of unpublished letters and other papers and spoke as follows: —

The papers which I have brought here this afternoon have been drawn from more than one source. Copies of some of them and one of the originals have been in my possession for many years. I have brought them together in chronological order, feeling that in that way they can be made to tell a more connected story than if grouped by authors. The papers, with two exceptions, relate to the early history of Yale University and throw interesting side-lights upon many matters connected with that Seminary, especially as regards the contest in England over Governor Yale's will, and the long and heated controversy over the permanent location of

Jer: Dummer

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Jer: Dummer

UNIV. OF MICH.

the Collegiate School at Saybrook, which was finally settled by the establishment of the Society at New Haven, where it has since remained, — the aid of the Governor and Council, however, as well as that of the Sheriff of the County of Middlesex, being necessary to end the struggle.

It is not my purpose to speak further of the history of the University;[1] but a brief preliminary commentary upon the authors of these papers may conduce to a more ready understanding of them.

Jeremiah Dummer, who is the largest contributor to the collection, was a native of Boston, a brother of Lieutenant-Governor William Dummer (the founder of Dummer Academy), and a Harvard graduate of 1699. He subsequently studied at the University of Utrecht, where he took the degree of Doctor of Philosophy. From 1710 to 1721 he was the Agent of the Province of the Massachusetts Bay in London. He also served the Colony of Connecticut in a similar capacity, as will be seen by his letters. He was a scholar whose literary fame rests chiefly upon his able treatise entitled A Defence of the New England Charters, when their loss was threatened, in 1721, — a fine specimen of his vigorous English style. He died in England, on the nineteenth of May, 1739, at the age of fifty-eight. One of our most recondite scholars has said of Dummer that he "was a bright, particular star in the firmament of two continents, far ahead of his time in many respects, and a very lovable character."[2] His letters

[1] See a paper by our associate Professor Franklin B. Dexter, entitled The Founding of Yale College, in Papers of the New Haven Historical Society, iii. 1–31.

[2] Our associate Mr. Abner C. Goodell. See Dr. George E. Ellis's estimate of Dummer's character in Memorial History of Boston, ii. 82, 83.

Dummer was the son of Jeremiah Dummer, of Boston, goldsmith, who served his apprenticeship with John Hull, the Mint-Master. The date of birth of Jeremiah the son does not appear, but if his age is correctly given on his monument he was born in or about 1681. In the Baptismal Register of the Old South Church in Boston the following entries appear: —

1675/6 Febr. 13 Jeremiah, son of Jeremiah Dumer.
1678 Dec. 29 William, son of Jeremiah Dumer.

We have here the record of baptism of Lieutenant-Governor Dummer and of an elder brother Jeremiah, who must have died in infancy since the goldsmith, in his will (1715), calls William his eldest son (Suffolk Probate Files, No. 4055). In 1679, the father transferred his relations to the First Church, to which he was then admitted, and of which he became a prominent member; but the

afford fresh evidence of the importance of his agency in securing various and valuable gifts in the early days of the Seminary.

John Read was born in Fairfield, Connecticut, on the twenty-ninth of January, 1679. He graduated at Harvard in 1697 and became a successful preacher. In 1699 he joined the First Church in Hartford, of which the Rev. Timothy Woodbridge, to whom most of these papers were addressed, was long the minister. Leaving the ministry, he adopted the profession of the Law, in which he rose to eminence. His reduction of the redundant phraseology of our early deeds of conveyance to the simple form now in use, of itself entitles him to permanent and grateful remembrance, which might well take the form of a visible memorial, placed by the Bar of the Commonwealth upon the walls of King's Chapel, of which he was at one time a Warden. Before removing to Boston, he purchased of the Indians, in 1714, a large tract of land, which he occupied as a sort of manor and named Lonetown. It was here that his Proposals as to settling the dispute over the location of the College were written, or at least, dated. This territory subsequently became, in part, the town of Redding, — so named in his honor. He was the first lawyer elected to the Massachusetts General Court. His great abilities soon attracted public attention

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First Church Records at that period were imperfectly kept and the baptisms of his younger children are not found. There are fine portraits of Lieutenant-Governor Dummer and of Jeremiah Dummer, the Province Agent, in the possession of the Misses Loring of Boston. They were engraved for the Narrative and Critical History of America, vi. 114, 115. The portrait of Jeremiah Dummer has been ascribed to Sir Godfrey Kneller.

Dummer was buried at West Ham, Essex. The inscription on his monument reads —

The Remains
of
Jeremiah Dummer
of New England, Esqr.
distinguished by his excellent life
probity and humanity.
His age 58
1739

In his will (signed Jeremy), dated 7 June, 1738, Dummer described himself as of Plaistow, in Essex. It was proved 1 June, 1739 (New England Historical and Genealogical Register for 1881, xxxv. 268, 269; and Waters's Genealogical Gleanings in England, i. 200, 201). Concerning his English ancestry, see Sewall's Diary, i. xxi, xxii.

and he was chosen to the Council of the Royal Governor, in which, in the time of Belcher and Shirley, he exercised a commanding influence. He was a truly great man of independent mind and of spotless integrity. He died on the seventh of July, 1749.[1]

Governor Gurdon Saltonstall of Connecticut, a great-grandson of Sir Richard, was a distinguished divine, orator, and statesman. His widow bequeathed to Harvard College £1,000 to educate students for the ministry.

Elisha Williams had a varied career. Graduating at Harvard in 1711, he entered the ministry and passed from the pulpit to the Rectorship of Yale, in 1726. Retiring from office in 1739, on account of ill health, he was, later, elected to the Legislature, was chosen Speaker of the House, and was subsequently appointed to the Bench. In 1745, he was Chaplain of the Connecticut Regiment sent to Cape Breton; and in the following year he was appointed to command a regiment in the intended expedition against Canada. He died at Wethersfield, on the twenty-fourth of July, 1755.

Dr. Benjamin Colman, long Minister of the Manifesto Church in Boston, was the friend of Calamy and other eminent English divines, and himself stood, at the time of his death, at the head of the New England clergy in respect of talents and influence. A man of brilliancy and intellect, of independent mind and action, and of catholicity of spirit, he naturally excited the envy of the Mathers, who attacked him with the vituperation of which they were masters.[2] In 1724, he was elected to the Presidency of Harvard College, of which for seven years he had been a Fellow, but declined the honor. His high-mindedness is seen in the closing paragraph of his letter to Woodbridge, wherein he reveals his unwillingness to take advantage of the distracted condition of Yale.

Dr. Timothy Cutler is remembered in Boston as the Rector of Christ Church for more than forty years after his defection from the Congregational Order. He graduated at Harvard in 1701; and from 1719 till 1722 he was Rector of Yale College.

The Rev. Samuel Russel, of Branford, Connecticut, graduated at Harvard in 1681; and James Pierpont, who graduated at Yale in 1718, served that Seminary as Tutor.

[1] See George B. Reed's Sketch of the Life of the Hon. John Read of Boston.

[2] See New England Historical and Genealogical Register for 1849, iii. 117–122, 220–222; and Quincy's History of Harvard University (1860), i. 130–144.

Of the Rev. Timothy Woodbridge, to whom most of these papers were addressed, I have spoken at a previous meeting of the Society.[1] He was named in the Charter of Yale College and was one of its ten Trustees.[2] He was highly esteemed by the magistrates and was placed on important Committees appointed by the General Assembly to consider great public questions. He was also of a Committee "to furnish their Agent with directions or information" and to answer "charges against the proceeding of the Charter Government." Notwithstanding his strenuous opposition to the establishment of the Seminary at New Haven, Woodbridge was finally reconciled, was honored by an appointment as Rector *pro tempore*, and moderated at the Commencement of 1723, when he conferred the Degrees. He was a member of the Saybrook Synod, in 1708, from which emanated the Saybrook Platform. He died at Hartford on the thirtieth of April, 1732. An obituary notice says that he was —

"a learned, well accomplished and grave Divine . . . He had the Interest of our College, especially in his latter Years, very much at heart, and did his utmost to promote the Prosperity of that Society. The flourishing of it, as at this day, is very much owing to him."[3]

The text of the documents[4] follows: —

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[1] December, 1897. Publications, v. 77, 78.

[2] "A Board of Trustees was constituted by the Charter of 1701, and by an explanatory Act of the General Assembly in 1723 the Rector was made *ex-officio* a Trustee, though this Act was not accepted by the Board until 1728. By the Charter of 1745 the Presidency of the Corporation was made into a separate office, and the other Trustees were styled Fellows" (Yale Triennial Catalogue, p. 1).

[3] A full notice of Woodbridge is in Sibley's Harvard Graduates, ii, 464–470. See also Allen's Biographical Dictionary; and New England Historical and Genealogical Register for 1878, xxxii. 294. Woodbridge addressed Cotton Mather in verse on his completion of the Magnalia, to which the lines are prefixed. I cannot learn of the existence of any portrait of Woodbridge.

[4] Beside the documents here printed, Mr. Edes exhibited two diplomas on parchment issued by Yale College to graduates of the Classes of 1709 and 1729, and a manuscript copy of the "Orders and appointments to be Observed in the Collegiate School in Connecticut." This paper is dated 1 December, 1725, and is attested by Robert Treat and Daniel Edwards, Tutors.

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

S^r

Parliament House
15 Augt 1715.

The votes inclos'd will show you that I have no time to write, the Affair of Carolina has by the Artifice of one great villain[1] that has bin often in America brought in the Massa-

[1] There is little, if any, doubt that Lord Cornbury is here referred to. Edward Hyde, Viscount Cornbury, was born in December, 1661, the son of Henry Hyde, second Earl of Clarendon, and the grandson of the great Earl. Bred at Oxford, he sat in the House of Commons for Wilts and Christchurch, 1685–1701, when he was made Governor of New York and New Jersey. Before coming to America, he had held various offices, among them that of Master of the Horse to Prince George of Denmark. He was also Page of Honor to James II. at his coronation, 23 April, 1685, but, in 1688, deserted the cause of James, who, it will be remembered, had married his aunt. Cornbury, therefore, was cousin-german to Queen Anne.

In 1705, with Joseph Dudley, Cornbury presented to the Privy Council complaints against the Charter Governments, which were heard and dismissed. In 1708, Cornbury's rule in New York ended, and he returned to England, where he succeeded to the Earldom of Clarendon on the death of his father,— 31 October, 1709. In 1711, he was made a Privy Councillor. In 1713, he and Dudley again made complaint to the Privy Council against the Charter Governments, but without success.

Cornbury is thus shown to have been identified with two previous attempts to deprive the American Colonies of their Charter rights. As to his character, there seems to be but one opinion. On the ninth of February, 1707–8, Lewis Morris, afterwards Chief-Justice of New York and New Jersey, wrote to Secretary Boyle, on the eve of Lord Cornbury's removal from office, a long letter in the nature of a scathing review of his administration, — "an administration no where so exactly parralel'd as in that of Gessius Florus Governour of Judea" — and of his behavior, in which he tells of the Governor's "dressing publicly in woman's cloaths every day, and putting a stop to all publique business" (Documents Relative to the Colonial History of the State of New York, v. 33–38). Dr. J. Romeyn Brodhead describes him as "mean, vulgar, foolish, [and] profligate" (Historical Magazine for 1868, Second Series, iii. 71, 72). Colonel Chester says that he —

"earned a most unenviable reputation, which he appears to have fully deserved, and his character and conduct were equally abhorred in both hemispheres. . . . [He] died 31 March, [1723], in obscurity, and deeply in debt, but had honourable burial [5 April] in the vault of his ancestors, whose good name he had so sadly disgraced" (Westminster Abbey Registers, p. 308 and note).

The progress of the unsuccessful movement, in 1715, for the "regulation" of the Charter Governments, which caused Dummer to write his famous Defence

chusetts & Connecticut into the bill, so that the loss of our Charter comes like a Clap of Thunder without any previous Lightning if I can't prevent it.

I am Y^r Colonies
Devoted Ser^t
JER DUMMER

[*Filed*]
Agent Dummer
Letter de Charter &
1715.

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

REV^D S^R

Not having had the honour of a line from you Since my writing you Several letters, will I hope be some apology if I am but Short now. You have with out doubt long before

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of the New-England Charters, can be traced in the Journals of the House of Commons (2 George I.). On the tenth of August, a Committee, to which had been referred a "Petition of the Agent of *Carolina*, in *America*, and several Merchants trading thither," reported a Resolution for an Address to the King, which was adopted (xviii. 262). On the same day the House —

"*Ordered*, That Leave be given to bring in a Bill for the better Regulation of the Charter and Proprietary Governments in *America*; and for the Encouragement of the Trade of this Kingdom, and of his Majesty's Plantations; and for the Security of his Majesty's Customs (xviii. 262).

On the thirteenth, the Bill was presented and was read the first time (xviii. 268). On the fifteenth, the Bill was read a second time, and was referred to a Committee which was ordered to meet that afternoon "at Five a Clock, in the Speaker's Chamber" (xviii. 269). This action, doubtless, was the occasion of Dummer's hurried letter in the text, which was followed by a more formal letter to the Connecticut authorities dated 20 August, 1715 (*cf.* Colonial Records of Connecticut, v. 522). At this Session of the House (15 August) the Guardian of the young Lord Baltimore petitioned for a clause to be inserted in the Bill to save the rights of his ward (Journals, xviii. 269). On the following day (16 August) Dummer, as Agent for the Province of the Massachusetts Bay and the Colony of Connecticut, petitioned the House to except his constituents from the operations of the Bill (xviii. 270). See Dummer's Defence of the New-England Charters, *passim*; Chalmers's Introduction to the History of the Revolt of the American Colonies (1845) ii. 5, 6; Palfrey's History of New England, iv. 487 and *notes*; New England Historical and Genealogical Register for 1869, xxiii. 457–459; Dictionary of National Biography, xxviii. 393; and G. E. C[okayne]'s Complete Peerage, ii. 277, 278.

this heard how happy the Maſsachusetts is like to be in Governour Shute who intends to Sail for Boston by the End of this Month. It has bin a vast struggle to procure this bleſsing to New England, & the work of a whole year's application. It's an inestimable priviledge which you have in Your Colony to create your own Governour & other inferiour Officers. I shall be glad to hear how your Young Academy grows, & whether you have built a convenient receptacle for your library, that I may send you Some proper Ornaments to furnish it. I hope you had, or at least have by this time, the books & Globes I Sent you by the last Ships, to which I am Still making Additions. I wish you health & all happyneſs, & am S^r^

Your faithfull Humble Servt

WHITEHAL
6th July 1716

JER: DUMMER

I Pray your Acceptance of the
continuation of the Mercurys.
Mr WOODBRIDGE

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

REV^D^ & WORTHY S^R^

I have your letter of May Last before me, which if I have not already answer'd (for I can't certainly tell having kept no Copy) I must depend on your goodneſs to forgive me. I now cover to you the Continuation of the monthly Mercurys being the five last, an Excellent Book of the famous Bishop Hoadley,[1] & the Pope's bull unigenitus, which has caus'd such mighty divisions in France, & in which you'l to your surprize find not onely the most innocent, but the most pious doctrines condemn'd as *offensive to pious Ears*. You have also in this packet the King's Speech at the Opening His Parliament by which you'l see the King of Sweden has for some time bin preparing to invade this Kingdom. My Lord Chancellour told me last week that my Lord Carnwath, when he was examin'd a year since on his being taken at Preston, own'd to the King that the Pre-

[1] For a notice of Benjamin Hoadly, successively Bishop of Bangor, Hereford, Salisbury, and Winchester, see the Dictionary of National Biography, xxvii. 16–21. The bull Unigenitus was published by Clement XI. in 1713. The book referred to by Dummer was possibly Hoadly's Satirical Dedication to Pope Clement XI., prefixed in 1715 to Sir R. Steele's Account of the Roman Catholic Religion, or more probably A Preservative against the Principles and Practices of the Nonjurors both in Church and State, published in 1716.

tender told him in his Closet that his last & cheif dependance was on the King of Sweden. But the Plot being now discover'd, the danger is over, for it would be very Strange if we having so much time to arm, & being protected by France & Holland, should not be able to Defend Our Selves against the power of Sweden, notwithstanding there are so many Male contents among our Selves. To paſs from this Subject to the Affairs of Connecticut, I am Sorry I cannot yet Send you the rest of the books with the Catalogue, but hope to do it by the fall, having a promise of Several large benefactions not yet come in. I should be glad however in the mean time if some oration at your Commencement might take notice of what Books you have already receiv'd (I mean onely in General words) & acknowledge your obligations to yor Friends here, & that then a proper paragraph of it might be prepar'd for the Boston Gazett, & the Gazett sent over to me. I could perhaps make use of this contrivance to the great advantage of the Colledge, besides it is a neceſsary peice of gratitude in you, & as requisite for my acquittal.

As for Dr Williams's[1] charity, the will is not yet recorded for reasons I formerly gave you. But I have Seen a Copy of it taken in Short hand, & what concerns us is in Substance this. He leaves a Mannor of a 120 £ p ann^m for the propagating the gospel among the Indians, whereof one halfe is to Harvard Colledge & the other to the Corporation[2] here, but Still for the same use. That the one moiety (which is

[1] For a notice of Daniel Williams, a prominent Nonconformist divine, see the Dictionary of National Biography, lxi. 385–389. His will, dated 26 June, 1711, with a codicil, 22 August, 1712, gave rise to a controversy which was not settled until 26 July, 1721. The will is printed in the New England Historical and Genealogical Register for 1892, xlvi. 436–439; and in Waters's Genealogical Gleanings in England, i. 628–631.

[2] The Corporation referred to by Dummer in this letter and in another dated 25 February, 1724–25 (*post*, p. 202), and still existing in England under the assumed name of The New England Company, is often referred to by historical writers under many variants from its legal name, — such as "The Indian Corporation" (*Ibid.*), "the Society for propagating the Gospel in America" (*post*, p. 203), the "Corporation for promoting the Gospel among the Indians in New England" (British Museum Catalogue), and the "Corporation for the Spread of the Gospel in New England" (Dictionary of National Biography, vi. 120, 121). It is even confounded with the still existing great Missionary Society of the Church of England, chartered by William III., 16 June, 1701, under the name of "The Society for the Propagation of the Gospel in Foreign Parts," an Historical Account of which, by the Rev. Dr. David Humphreys, its Secretary, was printed in London in 1730. It was this last named Society and its operations here which gave rise to the Mayhew Controversy, so called,

60 p ann^{m}) should be appropriated to your Colony is very reasonable because Your Indians have bin hitherto wholly neglected, & there is a

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in which the Rev. Dr. Jonathan Mayhew and the Rev. East Apthorp were the principal actors (see Annals of King's Chapel, ii. 241–280). It has seemed well, therefore, to state briefly the facts concerning the legal name and the career of the organization which played an important part in aiding the work of the Apostle Eliot and in printing the Indian Bible. These facts have been drawn chiefly from a small volume of ninety-two pages entitled A Sketch of the Origin and the Recent History of the New England Company by the Senior Member of the Company [Henry William Busk] . . . London, 1884.[1]

On the twenty-seventh of July, 1649, the Long Parliament passed an Act to create "A Corporation for the Promoting and Propagating the Gospel of Jesus Christ in New England" (p. 8). It established a Corporation in England consisting of sixteen persons, — a President, a Treasurer, and fourteen Assistants, to be called "The President and Society for the Propagation of the Gospel in New England," with power to acquire real and personal estate not exceeding the annual value of £2,000. Nearly £12,000 was raised by voluntary subscription in England and Wales and invested in real estate in Eriswell, Suffolk, in Plumstead, Kent, and in London. "The Corporation at once appointed Commissioners and a Treasurer in New England, who, with the income transmitted to them by the Corporation from England, paid itinerant missionaries and school teachers amongst the natives" (pp. 9, 10).

At the Restoration (29 May, 1660), the Corporation became defunct, but through the exertions of the Hon. Robert Boyle and others, it was revived by an Order of Charles II. in Council, 10 April, 1661, "for a new Charter of Incorporation vesting in the Company then created (and now subsisting) the

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[1] As it nowhere appears in Mr. Busk's History when or by what authority the present name of the Society was adopted, a letter was addressed to the Society's office in London requesting information upon these points. From the reply of William Marshall Venning, D. C. L., the Clerk of the Company, the following extracts are taken: —

"The name of this Society was never changed to the New England Company by Royal Charter, by Act of Parliament, or by process of law. In fact, its name has never been changed at all since the date of its Charter, its full legal title still being 'the Company for propagation of the Gospel in New England and the parts adjacent in America.' For the sake of brevity, and perhaps partly to distinguish it from the Society for the propagation of the Gospel in Foreign Parts, it has long been commonly called 'the New England Company.' . . . The earliest record I can find . . . of this Society having been called 'The New England Company' is in the Minutes of a meeting of the Company held on the 3rd April, 1770. These are the earliest Minutes in the Company's possession with the exception of the Minutes of nine or ten meetings held at various dates between the years 1662 and 1720 in all which cases the longer title is used."

The Company has since privately printed a volume of much interest to students of our Colonial and Provincial history entitled — Some Correspondence between the Governors and Treasurers of the New England Company in London and the Commissioners of the United Colonies in America, the Missionaries of the Company, and others between the years 1657 and 1712, to which are added the Journals of the Rev. Experience Mayhew in 1713 and 1714. Printed from the Originals in the possession of the New England Company. . . . London, 1896, pp. 128.

See Dr. Venning's paper on the Origin of the New England Company, London, with an Account of the Labours on Behalf of the North American Indians, in the Transactions of the Royal Historical Society, 1885, New Series, ii. 293–301.

word in the demise that seems to fix it there, for it said the *neglected pagans*, which cannot be the Maſsachusett Indians after so much pains have been taken with them. I deliver'd Yo^r Government's letter to the Corporation on this Subject, & gave them my opinion upon it, as I now write you, & I think I have interest enough with them to carry it so. However there is no immediate haste, because there 's a life upon the Estate which must fall before it comes into hand. And yet it is fitting to take proper care, for the life is a poor one being a very Sickly woman, who has already liv'd a good deal longer, than the Physicians thôt was poſsible.

I add to the Packet, yesterday's Flying Post containing the Addreſs of the Aſsembly of Carolina to the King to take their Province under his immediate Government. The Agents for that Province are preparing a Petition to the Parliament persuant to the Addreſs, & 'tis probable a bill will be brought in for it, & as probable that Our Enemies will make another push to have us included in it, but I don't much fear what they Can do, as long as the Commiſs^ers Of the Customes are quiet, & make no remonstrances against us.

I wish you much health & happyneſs & am With very great Esteem & respect

S^r

Your faithfull Humble Servt

WHITEHALL
21^t Feb^ry. 1716/17

JER: DUMMER

M^r TIM^TY WOODBRIDGE

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property which had been given or bought for the purposes of the late reputed Corporation" (pp. 12, 13). The Charter passed the Seals on the seventh of February, 1661–62, and created "the Company for Propagacion of the Gospell in New England, and the Partes adjacent in America" (p. 60), which was limited in its fellowship to forty-five persons (p. 64). The Charter-members included the Earl of Clarendon, the Earl of Manchester, Viscount Saye and Sele, the Hon. Robert Boyle, and many Aldermen and citizens of London (pp. 14, 57–59).

"For a few years after 1775, when the American War of Independence broke out, no missionary work was done in America at all, and the funds were allowed to accumulate." After the Peace of 1783, the Company transferred its operations to New Brunswick, and, in 1822, to other parts of British America (pp. 17, 21).

The funds of the Company are derived (1) from the original subscription, in 1649, of about £12,000, (2) from "a fund arising under the will of the Hon. Robert Boyle, the first Governor of the Company," who died 30 December, 1691, and (3) from "property derived under the will of the Rev. Dr. Daniel Williams, who died 26 January, 1715–16, and whose will was confirmed by his

JOHN READ'S PROPOSALS ABOUT YALE COLLEGE.

To the Hon^{bl} The Govr and Comp^{a} for Setling ye diſputes concerning ye place of ye Collegiate School & dependencys thereof ye humble propoſall of *Jno Read* —

Imprimis That the Lower houſe repreſenting ye whole Countrey declare ye place they deſire ye s^{d} School to be Setled in —

That ye Gen^{ll} Court Grant Six miles Square of Land where it may be found to be Improved as a State of Inheritance to ye uſe of ye School —

That ye Truſtees be moved to Settle ye School in ye place So to be named provided

1. That in three months next coming Some Gent: of ye Lower Houſe y^{t} Shall be in ye vote for ye new place Shall procure a Collection for ye uſe of ye School to ye value of ye Sum Expended allready on ye School at Newhaven, & take ye Materialls at Newhaven provided for ye uſe of ye Contributers —

2. That within the time aforesd Some Gent. in ye vote afores^{d} procure Such a Subscription for ye new place as they will Warrant to Surmount and go beyond ye Sum̄s and benevolences y^{t} are or shall be in ye Space of one moneth now coming be reaſonably secured for ye founding and Incouragement of ye School at Newhaven.

So y^{t} if ye Collections and Subſcriptions above mentioned in manner and form above expreſsed be not made in ye time above Limitted y^{t} y^{n} ye S^{d} Truſtees Shall proceed by ye Orders & agrem^{ts} of ye maj^{r} part of y^{m} to build & Settle ye S^{d} School at Newhaven as they have began

Jno Read
of Lonetown

[*Endorsed*]
Mr Reeds propoſall
about the Colledge
Octo 1717

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sister and heiress-at-law, and by decree in Chancery in 1720" (p. 18). It was not until 1745, however, on the death of the life tenant, to whom Dummer refers, that the Company "came into possession of considerable landed property in Essex, in trust, partly for supporting itinerant preachers in the West Indies, and partly for the benefit of the college of Cambridge in New England" (p. 19). This is the devise referred to in Dummer's letter in the text.

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BENJAMIN COLMAN TO TIMOTHY WOODBRIDGE.

REV^D & DEAR SIR,

I hope you will excuse my not answering your last to me sooner, remembring what a busie time it has been of late with me. But ye more I think & the more I have enquired into ye Circumstances of your College, the more I grow in my Opinion that it is neceſsary for the Well-being of it that ye Claſses with M^r. Williams [1] do not desert it. I am aſsured also that it will be heavily born by the Gentlemen Overseers & others in Governm^t with you, who have come into ye Vote for ye building at New-haven. And since ye House is now fixed there, how much soever it might be desired by you that it had not been so, I know your generous public spirit will now dictate to you ye best Methods wherein you may support & serve it. It will I fear weaken & dishearten your Accademy when your Commencement comes on, if several Graduates it may be of ye best Literature should decline receiving their Honours from her. We must in a thousand instances deny our Selves for ye common good. I cannot therefore bring my Self to be willing that any number of your Scholars should at this critical time offer themselves to us, but if your Son [2] alone do so I have nothing against it, but shal be glad of any Opportunity to testify my regards unto you, & how much I am

Rev Sir

Your Affectionate humble Servt.

BENJ. COLMAN.

BOSTON, June 4, 1718.

[*Addressed*]

For The Reverend
M^r. TIMOTHY WOODBRIDGE
Pastor of a Church in
Hartford.

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[1] Elisha Williams (H. C. 1711) of Wethersfield was a Tutor in the College (1716–1718) before his induction to the office of Rector, in 1726. His service as Tutor was wholly at Wethersfield, — in charge of the "remnant" or "secession," encouraged by Woodbridge, which resisted, for a time, the removal of the Seminary from Saybrook to New Haven. After the breach had been healed, Williams's name was inserted in the list of Tutors. See *post*, p. 206, *note*.

[2] Elisha Lord (Y. C. 1718). He was the child of Woodbridge's last wife by a former marriage. See Dexter's Yale Biographies and Annals, i. 187; and Sibley's Harvard Graduates, ii 468.

GURDON SALTONSTALL TO HEZEKIAH WYLLYS.

N LOND: Nov: 20 1718.

Mr SECRETARY.

This comes exprefs to You, for a Copy of the Act[1] of the late Afsembly, respecting the Settlement of the Colledge Affairs, which I would have, with ye publick Seal annexed to It, sent to Me, by this Mefsenger. And perhaps You will have all the Othr Acts for the Prefs, ready to send the Printer by the Same Opportunity. You had better hire the copying of them, than delay so long, the Sending of them to the Prefs.

Don't forget the Papers I mentioned to You in my last by Capt Minor.[2] (viz the Bundle of Pleas, or Proceedings in Harri's Case, Contra Hill,) which I laid before the Afsembly in May last, among the Papers relating to the Indians at Mohegan, & were taken from y^t File to improve in y^t Case. Which will be wanted here by the Committee. thrfore let them come sealed up to me, togethr with the Act I now write for.

I am concerned for Mr Treasurer[3] Y^r Neighbour, and desire You to inform Me how he is. I am S^r

Y^r very humble Servt
G: SALTONSTALL.

1. Act Bills Credit
2 for money

P. S.

You have among the Papers left on the Council board at N Haven, when I took my leave of You; The Minutes of the Orders We made, relating to the Money to be paid to the Trustees, and the Colledge Books at Saybrook; which You must also Send Me, with an Account [of] what You have done upon those Orders.

G. S.

If you have a Sufficient Stock of Publick Paper, Such as You had at N Haven, send Me 2 or 3 Quire by this Exprefs.

G. S.

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[1] Colonial Records of Connecticut, vi. 83, 84.

[2] Captain Ephraim Minor of Stonington is probably here referred to.

[3] John Whiting, son of Captain Joseph Whiting, was Treasurer of the Colony from 1717 to 1749.

Mr SECRY WYLLYS.

Since my writing what is before, I understand Some Persons have a design to proceed at Weathersfield, in opposition to the Act of the late Assembly. relating to a Colledge at N Haven, & Schollars belonging to It at Weathersfield; Which thô I can hardly believe, Yet I think It may be best for You to draw a Copy of that Act, and cause It to be delivered to the Constable of Weathersfield, with an Order as from Me, that he publish It immediately in ye s^d Town. Which You are accordingly to take care of; This will be a sufficient Means to prevent any Such Disorder as is said to be designed there. I would have You thrfore attend this Order, without Delay.

I am Sr

Y^r Servant

G: SALTONSTALL.

ABORTIVE ACT OF THE LEGISLATURE TO PROVIDE FOR A RESIDENT RECTOR.

An Act for the further Incouragmt of Yale Colledge

Whereas it Is thought Needfull for the Good Govermt of the Colledge at Newhaven and promoting learning there, to have a Resident Rector, who with one Tutor may be Sufficient to Instruct the Studients belonging to the Said Colledge untill there Number be Considerably Increased. and whereas the Sum̄ of one hundred pound a year already Given out of the publick Treasury to the tutor of s^d Colledge Is not Sufficient for a Resident Rector & a Tutor. *It Is therefore Enacted by the Govern^r Councell &c.* that there shall be the Sum̄ of Eighty pounds more paid yearely out of the publick Treasury for the Incouragm^t & support of a Resident Rector & one Tutor. which makes one hundred & Eighty pound in the whole. for Such time as there shall be a Resident Rector. or untill Such time as the Sum̄ of one hundred pound a year Can be raised for them Some other way. & then the said Eighty pound a year shall not be paid out of the Treasury but only the Sum̄ of one hundred pound a year as it hath been of late.

Past in the Upp^r House

Test HEZ. WYLLYS[1] *Secretry*

Dissented to in the Lower house

Test THO. KIMBERLY *Clerk*

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[1] The signatures to this document are autographs.

[*Endorsed*]
For a Refident
Rector &c. Yale
Colledge
1719

P: U: H
N: L: H

TIMOTHY CUTLER TO TIMOTHY WOODBRIDGE.

N. HAVEN Decr 31. 1720.

REV^D SIR

Having communicated to the Revd Mr Andrew[1] and Mr Rufsel,[2] a Letter which I rec^d from the Govr bearing Date Dec. 24. relating to the Building a Rector's Houfe here, and defireing the Refult of ye Revd Truftees Thoughts afsoon as may be: it is their concurrent Opinion, That with all convenient speed there should be a meeting here of the Revd Truftees of this School upon this affair, as well as others, that may then be offered to Confideration.

They have therefore empower'd me in their names to signify their defires, That you would give your attendance at S^d meeting on ye 24 of January next enfueing: which I accordingly do, and entreat your Favour in the notification of it to Mr Buckingham.[3]

Sir, I am senfible that Riding such a journey on this Time (efpecially as the cafe may be) will be very difficult, and I think that nothing but the urgency of affairs can call for it. But I think that this is the prefent cafe. You are not infenfible of the Difficultys of my prefent Habitation, and my Tenure of it alfo is as uncertain as pofsible. If any thing be done refpecting a Building this year it is requifite there be a prefent Confideration that the Timber be cut for it in the Winter Seafon. I know, S^r, that such is your age and Diftance, That you may as fairly put in for an Excufe from coming as any Gentleman, but having a particular dependance upon your coming I can by no means be eafy in a Submifsion to it, and do therefore take the Freedom to Importune your mindfullnefse of us at that time. And having had so many Inftances of your goodnefse in affairs of this nature, I muft promife my self the Hon^r & Happinefse of a Vifit at that time.

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[1] Rev. Samuel Andrew (H. C. 1675) of Milford, Connecticut. For an excellent notice of him see Sprague's Annals of the American Pulpit, i. 269 *note*.

[2] Rev. Samuel Russel (H. C. 1681) of Branford, Connecticut.

[3] Rev. Thomas Buckingham (H. C. 1690) of Hartford.

There is lately come amongst us a Dream of one Wait-still Hoping, referring to Stratford & Lime under late & prefent Circumftances, particularly relating ye affairs of ye late Council at Stratford, & Favouring ye Determinations of it, particularly magnifying the Character and conduct of a Rev^d. Gentleman Mr Izzard. The Reprefentation of it is in ye way of a deflgn'd wedding, the Legality whereof is contefted and difproved by one Mr Immoveable. The air of it is pompous and rapturous, and pretty taking with us. The Rev^d. Mr Izzard who is called the Authour may pofsibly be here at ye meeting if his great Diftance or Vapours hinder not.[1]

The College Bell is now raifed and gives a very pleafant clear Sound, and we are humbly thankfull to Mad^m Woodbridge's Generofity in it.[2] To whom I give my service as well as to your self, who am, Rev^d. Sir

Your Hum. Servt.

TIMOTHY CUTLER[3]

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

Mr Yale Sends you by this Ship one hundred pounds Sterling in goods for the use of his Colledge, & Afsures me that a present which he has bin long getting ready, of Instruments, books, & pictures shall be Sent you in a month's time. I am glad to get what I can of him, thô it be lefs than his engagements; for he promis'd me that he would

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[1] As I was unable to interpret this paragraph I sought the aid of our associate Professor Franklin Bowditch Dexter, who replied as follows: —

"I cannot decipher . . . 'the Rev^d. M^r. Izzard.' The phrases 'Wait-still Hoping' and 'Mr. Immovable' seem to point to some recent pamphlet with a nomenclature resembling the Pilgrim's Progress. The reference to 'ye late Council at Stratford' is probably to a council held there in April, 1720, when the town was divided on the question of calling Samuel Russell, Jr. (Yale 1712), as a minister in succession to Cutler. Cutler speaks of Mr. Izzard's 'great distance' as likely to prevent his attendance at the Trustees' Meeting, and this would seem to point either to Moses Noyes of Lyme or to Eliphalet Adams of New London."

I wish to acknowledge my indebtedness to Professor Dexter for other valuable suggestions in connection with this communication.

[2] Sibley records the gift of this bell by Madam Woodbridge, but assigns the date of it to the year 1723 (Harvard Graduates, ii. 469). His authority was Clap's Annals of Yale College, p. 79, but Clap is untrustworthy about such small matters.

[3] For notices of Dr. Cutler, see Sprague's Annals of the American Pulpit, v. 50, 52; and F. B. Dexter's Yale Biographies and Annals, i. 201–203, 270–273. See Foote's Annals of King's Chapel, i. 306 *et seq.*

Send you over 200 £ p anno as long as he liv'd, & make a Setlement upon you forever, to commence immediately after his death. But I am afraid lest being old he should dye and neglect it, Therefore I think it proper that you Continue writing to him. Mr Hollis has given me Some hopes that he will think of you when he has finish't what he intends to do for Harvard Colledge,[1] which I'le do every thing in my power to promote, thô I've receiv'd very Severe reprimands from some of my friends in Boston for having made application to him.

The ruin of Southsea Stock & all publick credit, & the bribery detected in persons in the Administration, & in members of both Houses of Parliament has thrown us into Such confusion, that one can't tell how or where the Scene will end. If you were but sure of keeping your Charter, I think I should prefer a quiet humble retreat in a corner of Connecticut rather than the most conspicuous place in this Kingdom, which is so universally Corrupt, that there is not the face of honesty left among us. I present you with a bundle of Sermons, which I shall send to Mr Dixwell[2] in Boston & desire him to forward it to you.

I am Sr

Your Very humble Servt

JER: DUMMER

LONDS MIDDLE TEMPLE
7th March 1720 [1720-21.]

[*Adressed*]

To The Revd Mr WOODBRIDGE
Minister of ye Gospel
at Hartford in
Connecticut

TIMOTHY CUTLER TO TIMOTHY WOODBRIDGE.

N. HAVEN July 7. 1721.

REVD SIR

I humbly thank you for your Concern abt ye College Mony to be procured for us by Capt Wadsworth.[3] But I do not underftand that there

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[1] *Cf.* Mr. Davis's Remarks, p. 211, *post.*

[2] This, doubtless, was John Dixwell of Boston, goldsmith, a Ruling Elder of the New North Church. He was the son of the Regicide; born in New Haven, 6 March 1680-81; and died in Boston of small-pox by inoculation, 21 April 1725 (Records of the New North Church).

[3] Captain James Wadsworth of Durham was of the Governor's Council and had to do with the Brief for collecting money for the Rector's house which had been ordered in May, 1721 (*cf.* Colonial Records of Connecticut, vi. 256).

is any come to us beſides w^t you sent down a litle while agoe, and I am very much affected with it from my Engagement in ye Purchaſe I have made of a Houſe, for which I shall shortly want 55^lb to pay ye man ~~ere long~~, beſides another 55^lb y^t I have taken upon Intereſt on ye same acco^t.

I have laſt night rec^d a Letter from His Hon^r Encouraging us to hope Mr Yale will further remember us in such an Annuity as you Speak of. His Hon^r writes, That He sh^d have now sent to Mr Hollis by ye ships going for England, but that He could never obtain a sight of ye Letter which the Truſtees formerly wrote to Him, & so could not write in concert with them. I suppoſe He never was addreſsed by the ~~Gov.~~ Truſtees, & y^t w^t was done was done by your Self in a Letter to Mr Dummer taking notice of Mr Hollis's Generoſity to ye College of Cam. intimating y^t we tho't He would not be regardleſse of us did He know our State; & this in complyance with Mr Dummer's Motion

Govr Yale hath remembred us in a Preſent of 105^lb 0. 3. The laſt Poſt bro't a Letter from Mr Lyde[1] signifying it was in his hands and desireing ye Truſtees orders ab^t it. M^r Ruſsel & Andrew & Ruggles[2] wrote down to Him praying His care ab^t ye goods till further Orders. Now ye Govr hath sent us ye Invoyce from Him. with a Letter alſo frō His Hon^r They are in 2 Trunks; Mohair Buttons, Stuffs, Silk sowing &c. He suppoſes they will sell at Boſton for 200lb p Cent. but to get ready Mony is Impracticable. He adds y^t y^y have the good news of Col. Tailer's[3] Arrival, & y^t there is a Proſpect of His being again on ye Establishment for a Coll. in half pay & hopes to be upon his return home sometime in Augt next. The Gentlemen here have tho't y^t ye Goods might be sold in theſe parts to much better advantage than In Boſton. I hope Sir you will uſe your utmoſt care to conceal this advice I now give you, leaſt it totally hinder ye Good Effects of ye Brief out, as ye Gen^ll news we are affraid in part will.

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[1] Judge Edward Lyde, of Boston. He died 11 May, 1724 (Sewall's Diary, iii. 337). See Foote's Annals of King's Chapel, i. 178 *note*.

[2] Rev. Samuel Russel (H. C. 1681) was a Fellow of Yale, 1701–1730; Rev. Samuel Andrew (H. C. 1675) was a Fellow of Harvard, 1679– *c.*1684, and of Yale, 1701–1738, and Rector, 1707–1719; and Rev. Thomas Ruggles (H. C. 1690) was a Fellow of Yale, 1710–1728. See *post*, p. 201, *note*.

[3] Colonel William Tailer of Boston. He was Lieutenant-Governor of the Province of the Massachusetts Bay 1711–1716 and 1730–1732. He was universally esteemed. Although a Warden of King's Chapel, his death called forth affectionate tributes from the Congregational clergy, who publicly praised "the prudence, justice, and moderation of his administration" (Foote's Annals of King's Chapel, i. 183, 184 and *note*). See *post*, pp. 267–270 and *notes*, 278–281.

I almoſt forgot to say y^t ye Gentlmen Truſtees afores^d defired Mr Lyde to send y^r Service & Thanks to Mr Yale, & to signify y^t He might expect a further addreſse for y^t end upon ye firſt meeting together.

I have acted in ye matter relating to N. York[1] so far as to acquaint Mr Whittelſey[2] Mr Noyes,[3] Mr Hall[4] with your Tho'ts & deſires in it. Mr Whittelſey says y^t in a fortnight or 3 Weeks he expects Mr Caner[5] at his Houſe to make some repairs of it, which will inevitably detain Him from that Service. Mr Hall is too much under the Terrors of a Scotch Warr to go, as He says He intimated to your Self at Y^e Election, w̄ you made ye Motion to Him. As to Mr Noyes I have yet had no anſwer. Mr Brown[6] & My self shall be averſe to no service in supplying ye Pulpit of any Perſons y^t may go upon y^t Service y^t ye Truſtees shall deſire. Mr Smith[7] one of ye act^rs in the affairs of y^t Ch^h writes to me for my encouragement to come & spend some time wth us to poliſh himſelf & I believe I shall encourage him. Sir your Son is in gr^t haſte & this obliges me to y^t Confuſion y^t needs your Pardon. Sir I deſire a letter from you Speedily if you see meet. I am Sir

Your H Servt.

T. Cutler

[*Endorsed*]
Mr Cutler's Letter

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[1] This refers to the Presbyterian Congregation in New York which Jonathan Edwards subsequently served (see *post*, p. 200, *note*). They wanted a preacher and Cutler names those who had been thought of for that service.

[2] Samuel Whittelsey (Y. C. 1705) was minister of Wallingford, Connecticut, from 1709 till his death, 15 April, 1752. He was a Fellow of the College from 1732 till his death (Sprague's Annals of the American Pulpit, i. 268–270; and Dexter's Yale Biographies and Annals, i. 40–44).

[3] Rev. Joseph Noyes (Y. C. 1709) was the New Haven minister. He was Tutor 1710–1715 (Dexter's Yale Biographies and Annals, i. 85–89).

[4] Rev. Samuel Hall (Y. C. 1716) was Tutor, 1716–1718. See Dexter's Yale Biographies and Annals, i. 154–156.

[5] Henry Caner, the builder of the first College edifice at New Haven. He was the father of the Rev. Dr. Henry Caner (Y. C. 1724), afterward Rector of King's Chapel in Boston.

[6] Rev. Daniel Browne (Y. C. 1714) was Tutor 1718–1722. See Sprague's Annals of the American Pulpit, v. 54, and Dexter's Yale Biographies and Annals, i. 118–120.

[7] William Smith (Y. C. 1719) was Tutor 1722–1724. See Dexter's Yale Biographies and Annals, i. 207–211. See also *post*, p. 197, *note*.

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

S^r

I writ to you very lately & Sent You a Small Box of Books to be distributed among some of the Students of Yale Colledge, which I hope will in due time come Safe to Your hands. I forgot in my letter to answer that paragraph in Yours relating to a dispute I had in France, which you heard I intended to print, & desir'd a Copy of it. I 'le aſsure you I never intended to print it, & was very sorry to ſee it mention'd in Our publick News-papers here, which was done by a Learned Gentleman who was present at the disputation being in Paris at that time. You can't imagine what envy this publication (thô intirely without my knowledge) rais'd against me among some people, who would certainly have discredited The fact, if it had not bin publickly manag'd in the greatest Church in France before many thousands of people, & in the presence of Several English Gentlemen of the first distinction, who were then at Paris, which made it impoſsible to be doubted or deny'd. I must own it was the most remarkable paſsage in my obscure & inconsiderable life, & therefore can't wonder, *Si Invidiae Oculi doluiſsent.* I don't however aſsume any glory to My Selfe from the ſucceſs of the dispute, which was apparently on my side, but attribute it wholly to the invincible truth of the doctrine I defended. I told the Jesuit, before I propos'd my Arguments, that I was sensible of the *Impar Congreſsus* between him, a profound Doctor in Theology at the head of the Learnedest University in Europe, & my Selfe an Itinerant Layman, who had receiv'd my birth & Education in the wilds of America; But that I was firmly perswaded of the goodneſs of my cause, which alone gave me the Courage to enter the lists with him. Nor should I have done it nevertheleſs, if he had not from the Pulpit invited any person in the Audience who was diſsatisfy'd with his doctrine to oppose him. Nor perhaps then neither, if Sr Biby Lake [1] who sate on one side of me, & a Learned Swede of my Acquaintance, who Sate on the Other side of me, had not forc'd me up, & then I did not know how to sit down again; for as soon as I rose The Jesuit fix't his

[1] Bibye Lake, Esquire, was created a baronet in 1711. He was Sub-Governor of the African Company, and died in 1744. He was grandnephew to Sir Edward Lake, Baronet, LL.D., Chancellor of the Diocese of Lincoln, who was made a baronet for his remarkable loyalty to Charles I., especially at the battle of Edge Hill. Sir Edward died in 1674. His wife was Anne, daughter and coheiress of Simon Bibye, of Bugden, in Huntingdonshire (Betham's Baronetage of England, 1803, iii. 153–157).

eye upon me, & the whole Audience Seem'd to expect Something. I Beg pardon for troubling you with this long Story which you have brought upon Your Selfe by desiring an Account of it.

I present you with the Historical Register wherein You 'l find all the material Occurrences for a quarter of a Year past. I shall also put up in this packet a treatise I receiv'd from New England, & publish't here relating to the inoculation of ye Small pox This new practice begins to Spread here, & is in so good reputation, that The Young Prince, & two Princeſses, & a Son of the Earl of Sunderland are now under it.[1]

I am S^r

MIDDLE TEMPLE
18th April 1722

Your Most faithful humble Servt
JER: DUMMER

Mr WOODBRIDGE

[*Filed*]

De Public Disputation
with the Jesuit in the Church
of Notre Dame Paris &c

GURDON SALTONSTALL TO GEORGE LUCAS.

Copy

S^r

The Generall Aſsembly of this Colony, at their Seſsions in May laſt, looking into their treaſury, and finding Several Arrears in ye Acct^s of our late treaſurer, Capt Joseph Whiting,[2] desired my Care, y^t they might be obtain'd & applied, to ye benefit of a Colledge They have Lately erected at New Haven. The Dedication of those Sums to y^t pious Use, prevail'd wth me to undertake ye matter; and more Eſpecially, when I obſerved them to be in ye hands of Gentlemen, of too Great Honour, to frustrate a Dedication, of such a Nature; and with whome therefore I should meet with no difficulty.

Among those Arrears, there is an Article of Indian Corn, to the Value of twe^n^ty pounds charg'd to Your Account; an Article So Small and of So Long Continuance, that, as I may well be perswaded You

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[1] "On the Twenty-seventh day of June, 1721," wrote Dr. Holmes, in 1869, "Zabdiel Boylston of Boston inoculated his only son for small-pox, — the first person ever submitted to the operation, in the New World" (Medical Essays, 1891, p. 347).

[2] Captain Joseph Whiting was Treasurer of the Colony from 1678 to his death in October, 1717, when he was succeeded in the office by his son, John Whiting.

have Intirely forgotten It, So I should not Give You any hint about It, had it not been devoted to Support a pious Undertaking, which very much wants it. I have Good Aſsurance from Your Character, that the Opportunity Our Generall Court has given me, of applying those Sums in such a manner, will be Very agreeable to You. And if You pleaſe to Direct to me by any Veſsel, bound to N. London, or any other Port in this Colony, what You may think moſt proper to make ye forementioned Sum here, I shall take care It Shall be disposed of Accordingly; and that that article of your Acc^ts^ in our Treaſury, Shall be Ca^n^celled.

It's now a considerable time since I had ye Opportunity of some Acquaintance wth you, when Your Reſidence was at Hartford and I muſt Confeſs, Should be very loth to take Such an Occaſion as this to renew It, If I had not known You to be a Gentleman of unſullied Honour. But that's a Sufficient Aſsurance to me of Your Favour in this Matter, as You may by this, be aſsured, that I am with Just Regard

S^r^

Your most humble Servt.

GURDON SALTONSTALL

N LONDON in Connecticut
June 12. 1722.

GEORGE LUCAS Eſq^r^

[*Filed*] To George Lucas[1] Eſqr
Antigua.

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

DEAR S^R^

I have two letters to thank you for, one of Sept^r^, & the Other of Novr last. You have heard before now of the death of Mr Brown,[2] the youngest of the three ministers who came over here from Your Colony, & you have probably Seen it in the prints that his death was much lamented. I must needs say it was by me, for his good nature, modesty & ingenuity. Our News papers have told us

[1] Lieutenant-Colonel George Lucas, whose daughter Eliza married Charles Pinckney of Charleston, S. C., became Lieutenant-Governor of Antigua in 1743, and died in 1747. (V. L. Oliver's History of Antigua, ii. 200–202, iii. 320; Mrs. H. H. Ravenel's Eliza Pinckney, pp. 1, 133; and *cf.* Colonial Records of Connecticut, vi. 325.)

[2] Rev. Daniel Browne (Y. C. 1714).

that Mr Cutler[1] is made a Doctr of Divinity at Oxford, & Mr Johnson[2] Master of Arts, but I think it is not true, thô it's very probable it may be true in a little while for they are gone to the University with that view. When these Gentlemen came first over, I shew'd them the civility of a countreyman, but resolv'd not to meddle in their Affairs, & accordingly I did not accompany them to any Bishop or other great person of my acquaintance. I was the more cautious in my carriage towards them, because I understood by letters from Boston that their defection from the religion of their Countrey was owing to the Library I had sent over, with this particular Slander, that I had fill'd the Library with every book for the Church & not one of the Other Side. You, Sr, that have Seen the books, know that the reverse of this is true, & that there never was an Eminent Difsenter & Author whose works are not in that Collection. Unlefs some of the books are lost or Stollen (which indeed I hear) You'l find Goodwin, Owen, Baxter, How, Bates, Carryl, Manton, Charnock, Pool, Henry, Calamy; & Others who have learnedly oppos'd the Ceremonys & Hierarchy of the Church, fuch as Didoclavius, Ames, Peirce & Others. And yet I find I have bin reproach't as before mention'd, which will discourage me from sending any more books At least 'till I hear from you about it. As to the matter of Your Charter, I hope it is Safe. Col2 Shute[3] has not bin able to move any thing this fefsion of Parliament, & what he proposes to do in the next is pretty much a Secret between him & his Friends (I mean friends to that design) For as to my Selfe thô I may Stand neuter as to the Mafsachusets, who won't let me Serve them, yet I shall be very Active for Connecticut, if any bill for regulating the Charter Governments Should again be brought into the House of Commons.

The validity of Mr Yale's will is not yet determin'd, but is depending

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[1] Rev. Timothy Cutler (H. C. 1701).

[2] Rev. Samuel Johnson (Y. C. 1714), Tutor, 1716–1719, afterward President of King's College. See Dexter's Yale Biographies and Annals, i. 123–128; T. B. Chandler's Life of Samuel Johnson; E. E. Beardsley's Life and Correspondence of Samuel Johnson.

[3] Samuel Shute had been appointed Governor of the Massachusetts Bay 15 June, 1716. He reached Boston, 5 October, following, and after six stormy years, during which he was in constant controversy with the Legislature, under the lead of Elisha Cooke, Jr., he suddenly left Boston, 1 January, 1722–23, and went to England, where he presented his grievances to the Privy Council. The result of his mission was the issue of the Explanatory Charter, so called, which passed the seals 12 August, 1725. His commission as Governor fell with the demise of the Crown, 10 June, 1727.

in Doctor's Commons, & I believe will not be brought to an Iſsue till October Term.

The King sets out this morning for his German Dominions, the Plot being wholly defeated inasmuch as the Bishop of Rochester,[1] who is thought to have bin the life & Soul of it, has bin convicted, & sentenc'd to perpetual banishment. The Act for his Banishment makes it felony without Clergy for any person to Correspond with him unleſs they have leave under the King's sign manual.

Europe at present enjoys a general peace, nor is there any prospect of war, unleſs the Turk & Czar of Muscovy should fall out about the latter's new Conquests in Persia. And should this happen it would do us no harm, but rather confirm our tranquility, as it will find the Czar work at a distance, & thereby prevent his creating new troubles in the Baltick, which will always embroyl us.

I put this letter under Cover to my Brother, & design, if I can meet with any paſsenger to Send you Some prints & pamphlets.

I am with great regards

S^r

Y^r Very humble Ser^t

JER. DUMMER

MIDDLE TEMPLE
3^d June 1723
Mr WOODBRIDGE

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

DEAR S^r

I wrote to you lately; This is onely to accompany some prints which I intend to deliver to Mr Johnson.[2] The peice of Divine poetry I Send you for the Sake of some good notes at the end of it, as well as for the poem it selfe, because I know you have a genius that way.

I wish you all happyneſs & am S^r

Your Very humble Servt

JER: DUMMER

P.S.
Mr Yale's administrat^x
delays the hearing at
Doct^rs Commons, but I
don't much doubt of succeſs.

LONDON 20th July 1723
Mr WOODBRIDGE

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[1] The famous Francis Atterbury, for a notice of whom, see the Dictionary of National Biography, ii. 233–238. See also *ante*, v. 79.

[2] Rev. Samuel Johnson (Y. C. 1714).

GURDON SALTONSTALL TO TIMOTHY WOODBRIDGE.

N LOND. Sept: 6. 1723

S^r

Not only my Broth^r Roger's [1] viſit but several other Affairs relating to the publick at this Juncture, have obliged me to lay aſide all Thoughts of being at the Commencement.

Upon which I have in a Lettr to M Andrew suggested my Thoughts relating to the better government of the Colledge, as particularly to the setling of a Reſident Rector. It is not that I have any Inclination to insert my Self into Matters committed to ye Care of the Trustees, but as I hope and believe We are of one mind to promote the Benefit of y^t Society, I concluded the Freedom I have taken, would not be thought amiſs of. If any thing should happen of a Contrary Nature; You may be aſsured, and I desire You to Aſsure all the Gentlemen concern'd with You, that notwithstanding what I have hinted, I heartily wish well to, whatever Resolves You shall come to relating to that Affair; But I hope You will think it neceſsary, that much more time Should not be lost, in filling up that Vacancy.

I hear M Pierpont [2] designs to remove from ye Colledge at the Commencent, and that M Smith [3] has also some such Thoughts. It must needs be a great disadvantage to the Colledge to loose them both at Once. I hope therefore If M Pierpont accepts of a Call to the Ministry, You will find a way to prevail wth Mr Smith to Stay a Year or two longer; w^c I should be very glad of. I am S^r

Y^r very humble Servt

G: SALTONSTALL.

Mr Rogers gives his
hearty Service to You.

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

DEAR S^R

Your last letter of July 1^t I have now before me. The Gentleman whose picture you receivd from me with a latin Letter is Doctor

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[1] Rev. John Rogers (H. C. 1684) of Ipswich, Massachusetts, who married Martha Whittingham, a sister of Saltonstall's then wife.

[2] James Pierpont, Jr. (Y. C. 1718), Tutor, 1722–1724, was the son of the Rev. James Pierpont (H. C. 1681). See Dexter's Yale Biographies and Annals, i. 189, 190.

[3] William Smith (Y. C. 1719). He removed to New York, where he was a member of the Governor's Council, 1753–1767, and Judge of the Supreme Court, 1763–1769. See *ante*, p. 191, *note*.

Turner,[1] a very Learned Physician & worthy Gentleman, who has made a handsome benefaction of books to your Colledge which I gave a particular account of to Col° Saltonstal; I can have ten guineas of a Bookſeller for one of the books, & the rest are his own Learned Works. You Shall have them all over as soon as I can make up a parcel, having many more in view which I hope Soon to gather in: If you Send this Gentleman a Diploma for a Doctorate, You will do yourselves great honour.

I am going on with my Suit in Doctor's Commons for the probate of Mr Yale's imperfect will, as fast as the Slow proceedings of that Court, & the Studyed delays of the Administratrix will permit. I am endeavouring to make Some Oblique impreſsions on Mr Hollis in your favour, for there's no attacking him directly He being very much a humourist. When he does any thing, He must do it *ex mero motu*, & not seem to be influenc'd by any body.

I am afraid this Winter may prove fatal to Your Charter, for which in all your letters You are So justly & so anxiously concern'd. Col° Shute exhibited to the Lords of the Regency a pretty Severe Complaint, consisting of many articles, against the Maſsachusett's Aſsembly, & it has bin declar'd that he had prov'd every Charge therein from our own printed votes. Some of the Lords declar'd publickly that we were dancing to the Old tune of 41,[2] & that we had done Such things as would be adjudg'd in any other Government than this mild one, to be Treason & Rebellion. If therefore The Parliament Should this winter take the Maſsachusetts to task 'Tis to be fear'd, They 'l take in the Other Charter Governments. The Parliament being a great Body of men, does not consider things distinctly, besure not minutely, but takes every thing in the Lump, & will Suppose that all Governments alike Constituted are or will be guilty of the Same faults. It shall however be my task & no

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[1] Daniel Turner, a physician of some note, received a degree from Yale in 1723. "His medical attainments were small, and the records of cases are the only parts of his works of any permanent value." For a notice of him, from which this passage is taken, see the Dictionary of National Biography, lvii. 332, 333.

[2] The allusion is to the Great Rebellion which broke out in 1641. In a letter which is not dated, but which must have been written about the time that Dummer's was, the Rev. Daniel Neal said: —

"I was last night in company with the governor [Shute] who has laid his memorial before the board of trade, where it was maintained that the conduct of the assembly in the affair of the militia was no less than high treason by the laws of England, as appeared to them by their own printed votes. . . . The cry of the city [London] here runs exceedingly against you, and they revive the story of 1641" (Hutchinson's History of the Province of Massachusetts-Bay, 1767, ii. 290 *note*).

pains shall be wanting, to prevent such an unjust method of proceeding. And my Efforts Shall be the Stronger, as I am afraid they will be my last, to preserve Our expiring American liberty. Perhaps One thing may avert the Evil we fear, I mean the division that is at present among the Ministry. It is certain that My Lords Cadogan & Carterett draw One way & My Ld Townsend & His Brother Walpole another. This was the reason that both the Secretrys went over this year with the King, neither of them Daring to trust the Other. Now if this division should continue & increase, They 'l have enough to do to carry on the Ordinary & Neceſsary buis'neſs of the Kingdom, & It may be will hardly agree together in any new Enterprise. But this is not to be depended upon, & I fear the Worst. Whatever the Event be, *Liberavi Animam meam;* for I have given the Boston people repeated Warnings of the destruction they were bringing on their Countrey, but I Could not be heard.

We have no News, All Europe as well as this Kingdom in particular, being in great tranquility & like to Continue so.

I am S^r^
Y^r^ faithfull humble Servt
JER: DUMMER

MIDDLE TEMPLE
10th Septr 1723

Mr WOODBRIDGE

JAMES PIERPONT TO TIMOTHY WOODBRIDGE.

REV^D^ S^R^

I received y^rs^ of Oct 28 and am thankfull to you for ye Information you therein gave me. I have in complyance with your Directions accomodated Kilburn [1] to his satiſfaction.

You are I preſume senſible who the Truſtees appointed to go to New York. yy all went save Mr Chapman,[2] the Committe from ye Synod mett them, & after much diſcourſe among them ſelves & with ye parties Concerned yy broak up without doing any thing to effect, being obliged

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[1] Presumably Pelatiah Kilborn (Y. C. 1724). See Dexter's Yale Biographies and Annals, i. 305.

[2] Presumably, the Rev. Daniel Chapman (Y. C. 1707) of West Farms (since the Revolution called Green's Farms, and now included in the town of Westport), Connecticut, is here referred to. As his parish was not far from the New York border, he would naturally have been thought of in connection with such a mission. See Dexter's Yale Biographies and Annals, i. 65, 66.

their first appearance in the World[1] I hope they won't rest 'till they have fixt their cheif Residence in Our part of the World. You have inclos'd Dr Turner's answer to your's by which you'l see he Continues his friendship to your Colledge, & I beleive (from his great Modesty) will do more than he promises. I have Sent You in a Box directed to Mr. Read[2] of Boston a few more books that were given me, which I hope he will take care to convey to you.

I[t] troubles me every moment I think of it that we lost Our Cause in ye Commons by the vile decree of the Dean of the Arches, who, I verily beleive was corrupted; But as this can't be prov'd & an Appeal to the Delegates will be very Expensive, I am forc'd to Sit Still, & content my Selfe with this Reflection that I have given the Colledge a fair chance to recover the Legacy, without putting it to any Expence.

I condole with you upon the surprizing death of your late Excellent Governour,[3] whose Memory will be to me always precious. I need Say nothing of his worth to you who knew him so well, But I always thought it so great, that there was no other person but your Selfe in the Colony capable of Succeeding him in the Chair of Government. The Gentleman, who is chosen Governour, is wholly unknown to me, but by a letter I have receiv'd from him he appears to be an honest & Sensible Gentleman. I desire you'l Aſsist him in an Affair which I have a Commiſsion to write to him of. The Indian Corporation[4] have now a pretty large Sum of money in their hands, & the Governour has promis'd me to propose to the Corporation that this money as well as their Constant Annual Remittance Shall be divided for the future between your Colony & the Maſsachusetts. He has already made a beginning by Nominating your new Governour One of the Society's Commiſsers. But before this thing can be Compleated, Governr Talcott must write Governr Ashhurst a letter to be laid before the Corporation showing what Number of Indians there are in Yr Colony, & what prospect you may have of doing good among them, & particularly setting forth that Your Colledge is founded upon principles agreeable to the Religion of the Countrey, for they have heard a foolish Story, as if you design'd it as a Nursery for the Church of England. The Letter must be thus directed

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[1] We have here an anticipation of Berkeley's thought expressed in the famous stanza beginning —

"Westward the course of empire takes its way."

[2] John Read (H. C. 1697).

[3] Gurdon Saltonstall.

[4] For a notice of this Society and its various names, see *ante*, p. 180, *note*.

TIMOTHY WOODBRIDGE AND SAMUEL RUSSELL TO THE TRUSTEES OF YALE COLLEGE.

GENTLEMEN TRUSTEES:

We have proceeded in the Affair with Middletown[1] as farr as we are Capable att p^r^ſent and think it very needfull there ſhould be a meeting of the truſtees at New Haven the day before Comencement (farther to Conſider that Matter) att one of the Clock in the Library *Requeſt* you will not fail:

T: WOODBRIDGE

Midd: Auguſt 13th 1724:

Y^r^ Hum^ble^ Serv^ts^ SAM^LL^ RUSSELL[2]

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

REV^D^ & DEAR S^R^

I have your's before me of Septem^r^ last, which is very obliging as all your letters are. The Diploma for Dr Turner as also the letter that came with it I deliver'd; and thô you are so modest as to make an apology for the bad latin, I think they were drawn up in a true Roman diction, & both for language & sentiments exceed any thing I ever yet saw from My Own Alma Mater. I must at the Same time observe that the Diploma is writ in a fine hand, & so hansomly ornamented with flourishes, that I was very much pleas'd to See it. As Religion & polite learning have bin travelling westward ever since

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granddaughter of the Rev. John Davenport, (ii) to Sarah Haynes, a granddaughter of Gov. John Haynes, and (iii) to Mary Hooker, a granddaughter of the Rev. Thomas Hooker, who became the mother of the wife of Jonathan Edwards. Pierpont's remarkable story of the mirage at New Haven in 1647, — "the apparition of the Ship in the Sky," may be read in the Magnalia (1702), Book I. pp. 25, 26. *Cf.* Winthrop's History of New England (1853), ii. 399, 400, *note*. Pierpont died 22 November, 1714. Among his descendants were the younger President Edwards, President Dwight, President Theodore Dwight Woolsey, and Aaron Burr, Vice-President of the United States (Sprague's Annals of the American Pulpit, i. 205, 206; Sibley's Harvard Graduates, iii. 222–230).

[1] This refers to the attempt then being made to induce the Rev. William Russell (Y. C. 1709), of Middletown, Connecticut, to accept the Rectorship of Yale. He was Tutor, 1713, 1714. See Dexter's Yale Biographies and Annals, i. 90, 91.

[2] Rev. Samuel Russel (H. C. 1681). He usually signed, and his contemporaries usually wrote, his name with a single final "l." A diploma issued to a Yale graduate of the Class of 1709, thus signed by Mr. Russel as one of the Fellows, was exhibited at this meeting. See *ante*, pp. 176, 190, *notes*.

labour prov'd in vain for this onely reason that of late all the little Operatours in medicine about this City have for small ſumms obtain'd degrees at Glasgow, which has so enrag'd the Eminent practisers, that they have resolv'd to discourage every thing of that kind, & show no Countenance but to the Graduates at Oxford & Cambridge. I am glad that the General Court of the Maſsachusetts have bin so wise as to accept the Explanatory Charter which otherwise might have brought ruine both upon them & you. As to the Affairs of your Colony I write particularly to your good Governour, for whom I can't but have a great esteem. His general Character & his letters to me demonstrate him to be a Gentleman of Singular Worth & integrity. I wish an opportunity would present that I might do him some particular Service. Had we, for our sins bin depriv'd of our Charters, which I much fear'd, I determin'd to use my utmost interest, that he might have bin the King's First Governour, which would have been some small consolation to the Colony, & in such a Calamity, a very great satisfaction to my Selfe. But it is much happyer as it is, & I dare say Governour Talcott thinks so, notwithstanding the Broad Seal of England, & the title of His Excellency are tempting things.

The three newspapers inclos'd will give you a pretty good account of the publick affairs of Europe for the Year past, & of the difficult prospect we have for the Year to Come. All Europe is arming at this time, & the Several States & powers have shifted sides in a manner very Surprizing. We have three great fleets fitting out, One for the streights, another for the Baltick, & a third for the West Indies.

I have some more books for your Colledge, which I shall soon send you. Wishing you much health & Ease in your advanc'd years,

I am S^r

LOND^o 25th March 1725

Your very humble Servt

JER: DUMMER

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

DEAR S^R

After a long Silence I have at length your kind & friendly letter, which is ~~the~~ more Welcome, & Seasonable to me now than ever before, after losing my great & good friend Governour Saltonstal. I live in hopes of procuring some noble benefaction to your Colledge, & am continually using some means to procure it; but things of this

Nature require time & patience. I have some very valuable books by me, that I have Collected for you, which I'le Send you over next Spring.

I should be very willing to gratify your Curiosity about the true reasons of the Fall of the Earl of Macclesfeild, but that the subject is too long for a letter, & too nice to be put in writing. However, I may Say in General, That he did not fall for unrighteous decrees, or a corrupt management of the great Seal (thô both these were pretended) but It was owing to powerfull Enemies in the Cabinet. My Lord Carteret lost the Secretary's Seals for the same reason, & at the same time, but he being a great favourite of the King, & universally belov'd in the Nation, His few potent Rivals let him fall easily & Honourably by Sending him Vice-Roy into Ireland. Whereas The Chancellour being a haughty man, & very unpopular, & particularly obnoxious to the Great man, Sr Robt Walpole, it was resolv'd to produce him into the publick light, & turn him out for pretended high Crimes & Misdemeanours, that his fall might be the more ignominious. By the inclos'd Register, you'l See the Accusation of the Commons, & his Lord^p's^ Answer, by which You 'l be able to Judge Something of the merit of the Case.

As to the Affair of Thorn, it is generally believ'd that we shall have a Religious War, but I don't think so; It seems more probable to me, That Austria & France will interpose their mediation, & oblige the Poles to make some condescentions to their Protestant Subjects; Thô at the Same time it is certain that the Senate & people of Poland (instigated by the Cardinal Primate) seem ready to sacrafice their lives & fortunes rather than to come into any moderate measures with the Lutherans, & Calvinists. The whole affair will turn upon the two treaties which Have lately bin made; one between the Emperour of Germany & the King of Spain; & another between the King of great Britain, The King of France, & the King of Prufsia, which was concluded at Hannover. It is thought that these two treaties were made in opposition to each other, but no body can see into those deep Secrets except a few people who stand near the Candle.

France is very happy in a Queen, pofsefs'd of all amiable, & princely vertues, þy which She will be able to soften the temper of Her Young Monarch, which is very austere & Surly. She is, besides, devout & religious, & has already reform'd The French Court in a great article, which is that of going every Sunday in the Afternoon to an Opera instead of going to Church. Thô I must confefs, as the French manage Divine Service, especially in The King's Chappel, there is not a great deal of difference between one & t'other. For they have no

preaching, & they Chant the Maſs with Fiddles, & German Flutes, & Severall other instruments of Musick.

Our King is well at Hannover, & there's no Talk when he will Come over. His English Subjects are very uneasy, but His Hannoverian Ones rejoyce, For the King's presence there with all the Foreign Ambaſsadours whom he takes with him creates a vast expense, & such a Circulation & plenty of money there as was unknown to them in former times.

I design to write to Governour Tallcott by this Ship. I take him to be a very worthy & Considerate person.

I am Sr

Your very humble Servt

JER: DUMMER

MIDDLE TEMPLE
8th Octr. 1725

Mr WOODBRIDGE

JEREMIAH DUMMER TO TIMOTHY WOODBRIDGE.

Copy

REVD & DEAR Sr.

I have your Obliging Letter of Novemr. last for which and for all other kind Expreſsions of your Favours and Friendship I have a very great and juſt Regard.

My Motion for a Tryal of the Controversy about the Divisional Line was under Consideration for Six Months, but was this Week over Ruled against me upon producing two Letters from your Government, One for the Lords of the Counsel, the other to the Board of Trade wherein You submitted the Cause to their Decision; or otherwise I would not have suffered a Matter of Property to have been determined any where but in the Courts of Comon Law, and Stil I shall inſist that the Rhode Islanders have got only the Jurisdiction, and the Soil remains with us.[1]

I am very glad you have got a new Rector[2] of Your Colledge who gives ſuch good hopes of promoting the Interest of your Seminary for Religion & Learning. I have Delayed hitherto the sending some Books that have been given to Your Colledge, in Expectation of a Considerable Addition, but whether I have that or not in a little time I shall send you thoſe Books I have by me.

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[1] See Palfrey, History of New England, iv. 484–486.

[2] Elisha Williams (H. C. 1711). For a notice of him, see Sprague's Annals of the American Pulpit, i. 281–284; and Dexter's Yale Biographies and Annals, i, 321, 322, 632–635. See also *ante*, p. 184, *note*.

Be pleas'd to accept a Pamphlet which will give you an Acco^{t} of the State of our Affairs in thes Critical & Extreordinary Conjuncture. It is writ by Order of the Government, and put into Stile and Method by two very good Writers, the Biſhops of London & Sarum.[1] The Political States I have sent to Your Governor which You'l see in Course.

I thank God for the Continuance of Your Uſeful & Valuable Life which is of so great Service to Your Country.

I am with very great Esteem & Respect

MIDDLE TEMPLE
10. Febry 1726/7.

S^{r}
Yo. moſt Obedient humble Servant
JER: DUMMER

ELISHA WILLIAMS TO TIMOTHY WOODBRIDGE.

REV^{D} S^{R}

Since you allow me on all occaſions the Freedom of offering my Thoughts, & have ever a Mantle ready to Throw over Them y^{t} diſcover my weakneſs. I preſume to offer Something that has occurred to me in the preſent Conjuncture of affairs, y^{t} Surprize & fill everybody with Concern what ye Iſsue may be. For my own part I muſt Confeſs my fears are greater wth relation to our religious than Civil Interests. Thô if our Law reſpecting Inteſtate Eſtates[2] be Declared a Nullity *ab Initio*, & So the Common Law of England, from thence to take place, we are Thrown Into ye greateſt Confuſion. But in That Caſe it Seems hopefull, — That if we are not able to Make it good y^{t} we had power to Make Such a Law, before ye proper Judges (For I Take it the King & Council *Declaring it a Nullity* does not make it So) And if we Think it adviſable may have a hearing before ye Kings Judges — Not that it aught Now to Obtain as our Common Law, being an Immemorial Cuſtom — Yet we may obtain a Confirmation of all paſt Judgments in our Prerogative Courts upon Inteſtate Eſtates — Upon our Petition, Unleſs we Can Suppoſe the King is Willing his Subjects here Should be ruined. And if the Common Law in That Caſe takes place only for the future, The Conſequences will not be So Unhappy.—

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[1] The Bishop of London was Edmund Gibson, and the Bishop of Salisbury Benjamin Hoadly. The pamphlet referred to is doubtless An Enquiry into the Reasons of the Conduct of Great Britain, with relation to the Present State of Affairs in Europe, published by Hoadly in 1727. Dummer seems to have been mistaken in associating Gibson with this pamphlet.

[2] See Colonial Records of Connecticut iv. 306–311, vii. 109, 191 and *note*, 571–579.

But may we not fear They will Say we have as Little power to do many other Things We have Done as in ye other Inſtance; w^n we preſumed we had power Enough

Will they not Say our Eccleſiaſtical Eſtabliſhment is a Nullity? Our College Charter a Nullity? (Can we plead & make it Good when we have done y^t ye Governour & Company have a power to Make a Body Politick?) and may we not fear we Shall in a Little Time be in no better Circumſtances y^n our Diſsenting Brethren in England? — That our Churchmen are all ways strongly Solloiciting ye Biſhop of London to Send a Suffragan hither we are well aſsured — and I suppoſe the only reaſon why it has not been done, has been the want of wherewith to Maintain him. and I Conclude They Imagine they are getting over That. I have Juſt Underſtood — Mr Johnſon [1] has Sent the Biſhop of London an account, That y^e *office* of the Probate of Wills in this Government is *Worth a Thouſand Pounds p Annum* — and for what he should give him such an account Cant be Conceived Unleſs with Such a view of his Exerciſing a Plenary Juriſdiction. *For which* I obſerve in the Prints *a Commiſſion is paſſing the Broad Seal* [2] and if y^t be any poſsible way *Jure vel Injuriâ* to Defeat The Intention of Erecting the College it will be done. Nothing will Stand in the way *of the Bigots to Mother Church.*

Now what I would propoſe to Your Conſideration is whither it would not be adviſeable That The Agent ~~of~~ The Government now Sends, be directed in the Prudentiſt Methods Poſsible, to *obtain a Charter for the College from the King.* and if it might be, alſo, Something in favour of our Eccleſiaſtick Conſtitution. — and Theſe Conſiderations Seem to render it not Entirely hopeleſs

1. The King has but Juſt come to the Throne, — & so it is not an Unlikely Hour for acts of Grace.

2. The Incomparable Good Temper of ye Queen wth whom phaps a good Intereſt might be made for it.

3. What ye King has Done & after all our Endeavours to releive our Selves will probably do, with relation to our Civill Intereſts will be no Small Shock and Grievance to us — & phaps to do us a favour in another Matter as y^t of a Charter for ye College may be ye more eaſily granted — Since tis not Uncommon nor diſagreeable to ye wiſdom of a Prince to Shew an act of Grace when he has manifeſted Severity —

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[1] Rev. Samuel Johnson (Y. C. 1714).

[2] The reference is probably to a Commission to Gibson, 1 George II. (29 April, 1728), which is printed in Documents Relative to the Colonial History of the State of New York, v. 849. See also *ante*, v. 112 *note*.

and under such Circumſtances we shall find ye greater pity from Thoſe y^t have any Tenderneſs for us, and a more Cheerfull aſsiſtance from them — on y^se & some other accounts I might have added it Seems to me as fair an Opportunity as ever we Shall have, to endeavour it, & if we Dont I fear we Shall have Little Good of it Very Long.— But Yet if they Send *Mr Belcher*[1] or any other Gentleman out of ye Maſsachusetts Nothing of This Can be done. Nor will it Unleſs by some hearty Friend to us — If Sr You Think it adviſable that what I have propoſed be endeavoured, You will pleaſe to Communicate it (phaps before ye Courts Sitting) to his Honour, with whom the Matter Muſt Solely [be] left to give it in *Direction to the Agent*. For if the Aſsembly — or Indeed his Council Should know it, it would take so much air, as That our Bigotted Churchmen would get it, & endeavour all ways Poſsible to Defeat it —

You will pleaſe to forgive me The Trouble of This — & I will add No More Than my Humble Service to Your Self & Madd^m — and That

I am Y^r Very Humble Ser^vt

E. WILLIAMS[2]

N. HAVEN — July 2. 1728

JEREMIAH DUMMER TO JOSEPH TALCOTT.

S^r

Your Petition[3] is Lodg'd at the Council Board & referr'd to the Lords of the Committee before whom we are to be heard, & shall then see what the King will do for us. The Speaker of the House of Commons surpriz'd me lately by Saying, if we had brought our Affair into Parliament, the House would certainly have examin'd into our Constitution, & very probably have given us a new one. If that be so, I think we are well off. My Lord

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[1] Jonathan Belcher was a classmate at Harvard of Jeremiah Dummer (1699) and Governor of the Massachusetts Bay, 1730–1741.

[2] Elisha Williams (H. C. 1711) was Rector of the College at the time this letter was written.

[3] See Colonial Records of Connecticut, vii. 254, and Collections of the Connecticut Historical Society, iv. 174–180, 184–190.

I am indebted to our associate Mr. Albert Matthews, for aid and valuable suggestions in the preparation of the notes to this communication.

Townsend is gone into Norfolk for a fortnight, & there will be no Committee till his Return to St James's.

I am S^r

Your most Obed^t Servt

JER: DUMMER

WHITEHALL
29th March
1730

GOV^R TALCOT[1]

[*Filed*]

from Jeriemia Dum^r Esqr
March 29th 1730 ye Intention of ye Parlyment Relating to our constitution
from Mr Dummer
Agent
1730

The PRESIDENT stated that the Council had invited Professor FRANKLIN BOWDITCH DEXTER of Yale University, one of the Corresponding Members, to be present at the Meeting and to discuss the various papers which Mr. Edes had just communicated. Professor DEXTER accepted the invitation, but, at the last moment, was prevented from attending by a Special Meeting of the Yale Corporation, of which he is the Secretary.

Mr. JAMES LYMAN WHITNEY, an alumnus of Yale, remarked upon the interesting fact that its Founders turned to Massachusetts for aid and advice in their new undertaking and received in return wise counsel from their brethren of the Bay, who had much at heart the interests of the older Seminary at Cambridge.

Mr. WILLIAM COOLIDGE LANE commented upon Dummer's attempt to divert Hollis's bounty, at least in part, from Harvard to Yale.

[1] For notices of Governor Joseph Talcott, see S. V. Talcott's Talcott Pedigree, 1876, pp. 39–51; New England Historical and Genealogical Register for 1869, xxiii. 460 *note;* and Waters's Genealogical Gleanings in England, ii. 1125, 1126.

Mr. DAVIS said that Hollis was indignant at the attempt to divert his gifts from Harvard, and his correspondence shows that he repelled Dummer's interference with vigor. In one letter he says: "I have no inclination to be diverted from my projected design."[1] In another: "I was disgusted at the suggestion, and refused to read on."[2] In a third, he wrote: "Dummer's management for Yale College led me to suspect a snake in the grass."[3]

The Rev. EDWARD G. PORTER described a visit to Fort St. George, at Madras, of which Elihu Yale, a man of mark, rush and ambition, was for several years Governor. There, in the Church, he found a silver basin with a Latin inscription showing that it was Governor Yale's gift. Upon the Church wall was a mortuary tablet to the son of the Governor who married an Indian woman, — the widow of his predecessor in office. Yale was succeeded in the governorship of Madras by Nathaniel Higginson, whose portrait, in a very large family group, is now in the possession of Colonel Thomas Wentworth Higginson.

Mr. ROBERT N. TOPPAN showed an invitation from the Sophomore Class of 1796 to one of the Exhibitions in the College Chapel at New Haven, at two o'clock in the afternoon.

Mr. GOODELL remarked upon the interest of the papers which were before the Meeting and upon the remarkably large number of important original documents which had been brought to public attention by members of the Colonial Society during its brief existence. The papers which Mr. Edes had just communicated, Mr. Goodell said, supplement Mr. Davis's paper and afford fresh evidence of the valuable

[1] In a letter to John White, Treasurer of Harvard College, dated 12 July, 1721 (J. Quincy's History of Harvard University, 1860, i. 528).

[2] In a letter to Dr. Colman, dated 27 January, 1726–27 (*Ibid.* i. 529).

[3] Manuscript letter of Thomas Hollis to President Leverett, dated 18 January, 1722–23, in the Archives of Harvard University.

service rendered by the Colony Agents in London. He then paid a high tribute to Dummer, whom, in ability, he ranked as second only to William Bollan.

Mr. EDES communicated, on behalf of Mr. EDWARD FIELD, a Corresponding Member of the Society, a copy of the Diary of John Green, kept in Boston, 1755–1764, which records, among other important occurrences, Washington's first visit to this city, the death of Secretary Willard, the funeral of Colonel Benjamin Pollard of the Independent Corps of Cadets, and the great public reception accorded to Governor Shirley on the thirtieth of January, 1756, on his return to Boston from the Conference of the Colonial Governors at New York. The original Diary is in the Cabinet of the Rhode Island Historical Society.[1]

Mr. DAVIS communicated the following information concerning the Historical Societies which have been incorporated since the last Report on this subject was made to the Society: —

FOXBOROUGH HISTORICAL SOCIETY.

Purposes. "To preserve and perpetuate the history of the town of Foxborough, in Massachusetts, and to collect, hold, and preserve documents, books, memoirs, curiosities, and all other matters relating to its history; and the publication of periodicals, tracts, and pamphlets devoted to, or treating of, historical subjects. Also the securing of a Memorial Building in which its collections may be preserved and its meetings held."

Date of Charter. 31 March, 1898.

THE ARLINGTON HISTORICAL SOCIETY.

Purposes. "The gathering and recording of knowledge of the history of Arlington and of individuals and families connected with the town; and the collection and preservation of printed and manuscript matter and other articles of historical and antiquarian interest."

Date of Charter. 6 April, 1898.

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[1] Owing to Mr. Field's absence from the country when the proceedings of this meeting were put in type, and the importance of having the proof of this Diary read with the original, the document is reserved for publication in another volume.

WALPOLE HISTORICAL SOCIETY.

Purposes. "For the prosecution of historical and antiquarian purposes."

Date of Charter. 23 May, 1898.

THE IPSWICH HISTORICAL SOCIETY.

Purposes. "The gathering and recording of knowledge of the history of Ipswich and of individuals and families connected with said Ipswich, the collection and preservation of printed and written manuscripts, pamphlets, and other matters of historic interest and the collection of articles of historical and antiquarian interest and the preservation and furnishing, in Colonial Style, one of the ancient dwelling houses of said Ipswich."

Date of Charter. 26 October, 1898.

SOMERVILLE HISTORICAL SOCIETY.

Purposes. "The collection and preservation of everything relating to the history and antiquities of Somerville, and incidentally of other places, and the diffusion of knowledge concerning them."

Date of Charter. 9 November, 1898.[1]

The CORRESPONDING SECRETARY reported that since the last meeting letters had been received from Mr. WORTHINGTON CHAUNCEY FORD accepting Resident Membership, and from

[1] The following quasi-historical societies have also been incorporated: —

BOSTON VETERAN FIREMEN'S ASSOCIATION.

Purposes. "To promote social and charitable purposes with each other, and for the prosecution of antiquarian, historical, and literary subjects, relating to the Fire Department of the City of Boston."

Date of Charter. 1 March, 1898.

THE CASTILIAN CLUB.

Purposes. "For the prosecution of historical and literary research in matters relating to Spain."

Date of Charter. 27 April, 1898.

BARNICOAT FIRE ASSOCIATION.

Purposes. "To promote social and charitable purposes with each other, to perpetuate the name of William Barnicoat (Chief Engineer of the Boston Fire Department from 1836 to 1854) and for the prosecution [of] antiquarian, historical, and literary subjects relating to the Fire Department of the City of Boston, Mass."

Date of Charter. 9 May, 1898.

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[illegible] Ship.
[illegible]

[illegible] seven members [illegible]
[illegible] consider what ste[illegible]
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[illegible] with any simil[illegible]

[illegible] the PRESIDENT
[illegible] LOWE[illegible]
[illegible] AND DAV[illegible]
[illegible] GRIFFIN PORTE[illegible]
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[illegible] D.D., of N[illegible]
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[illegible] Mem[illegible]
[illegible]

Elam Photogravure Boston

W. D. Slade

Engraved for The Colonial Society of Massachusetts
from a photograph from life

Professor FREDERICK JACKSON TURNER of the University of Wisconsin accepting Corresponding Membership.

The following Resolution was then adopted by a unanimous vote: —

Resolved, That the Chair appoint a Committee of seven members of the Society, of whom the President shall be one, to consider what steps should be taken properly to commemorate in New England the Tercentenary of the birth of Oliver Cromwell, and to confer with any similar Committees of other Historical Societies.

The Chair appointed as this Committee, the PRESIDENT and Messrs. JAMES BRADLEY THAYER, AUGUSTUS LOWELL, CHARLES CARROLL EVERETT, ANDREW MCFARLAND DAVIS, GEORGE LYMAN KITTREDGE, and EDWARD GRIFFIN PORTER.

OLIVER WOLCOTT GIBBS, LL.D., of Newport, Rhode Island, the Reverend WILLIAM REED HUNTINGTON, D.D., of New York City, and Mr. GEORGE PARKER WINSHIP of Providence, Rhode Island, were elected Corresponding Members.

President WHEELWRIGHT communicated a Memoir of Dr. Daniel Denison Slade, which he had been requested to prepare for publication in the Transactions.

W. P. Slade

Elsom Photogravure, Boston

D. D. Slade

Engraved for The Colonial Society of Massachusetts
from a photograph from life

MEMOIR

OF

DANIEL DENISON SLADE, M.D.

BY

EDWARD WHEELWRIGHT.

DANIEL DENISON SLADE, only son of Jacob Tilton and Elizabeth (Rogers) Slade, was born in Boston, Massachusetts, 10 May, 1823. He was a descendant in the fifth generation from Arthur Slade, who is supposed to have been born in 1682 at Marazion, near Penzance, Cornwall, England, and who lived at one time at Deptford, in Kent, — on the Thames, near London. He emigrated to America between 1706 and 1730; and resided for a time at New Market, near Portsmouth, New Hampshire, where he died 12 January, 1746–47, at the age of sixty-four years.[1] The line of descent is as follows: —

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[1] On the bottom of a silver waiter, once owned by the Hon. Theodore Atkinson of Portsmouth and his wife Hannah (Wentworth) Atkinson, — a sister of Governor Benning Wentworth, — are engraved the names of forty-eight persons who were connected by ties of blood, marriage, or friendship with the Wentworth family, together with the dates of their death and their ages. Arthur Slade's name is eleventh in this List, which covers the period 1740–1771 and is printed in the New England Historical and Genealogical Register for 1861, xv. 172. A Family Bible gives 17 January, 1747, as the date of his death.

Administration on the estate of Arthur Slade, "formerly of the parish of St. Nicholas, Deptford, in the County of Kent, but at Portsmouth, New Hampshire, deceased, was granted 7 October, 1747, to Elizabeth Slade, his widow, relict," *etc.* (Waters's Gleanings, *Ibid.* for 1889, xliii. 160, 161.)

Administration on the estate of Arthur Slade, late of New Market, New Hampshire, gentleman, had been previously granted, 28 January, 1746–47, "to Henry Keese of Portsmouth and Elizabeth his wife," who, at a Probate Court held at Portsmouth, 29 April, 1747, filed an Inventory of the estate which had been taken on the seventh of February (Rockingham Probate Records at Exeter).

1. ARTHUR SLADE (1682–1747), married ELIZABETH ——.
2. BENJAMIN SLADE, born ——; married MARY KEESE, daughter of Henry and Elizabeth Keese, of Portsmouth; died 15 April, 1745.
3. BENJAMIN SLADE, born 21 April, 1734; married (1) LUCY HART, daughter of Samuel Hart, Jr., of Portsmouth; (2) SUSANNA TILTON, 18 November, 1763; died 28 January, 1813, in his seventy-ninth year.
4. JACOB TILTON SLADE, born in Portsmouth, 6 April, 1778; married, ELIZABETH ROGERS, daughter of Daniel Denison and Elizabeth (Bromfield) Rogers, 13 May, 1819; died in Paris, France, 21 June, 1854.
5. DANIEL DENISON SLADE, born 10 May, 1823.

Of Slade's earlier ancestors in the paternal line there is but slight record. He, himself, never traced them back to their English origin.[1] His paternal grandfather, Benjamin Slade, was, in 1786, Collector of Taxes at Portsmouth, New Hampshire, where his mansion house was on Vaughan Street; and his gravestone and that of his wife are in the old North Burying Ground.

At the time of his marriage, Jacob Tilton Slade, the father of our late associate, was forty-one years of age and a man of vigorous health, tall, of fine personal appearance, polished manners and agreeable conversation. He was for many years connected with the firm of Stieglitz & Co., iron merchants, of St. Petersburg, and, in consequence, was sometimes spoken of as "the Russian gentleman." After his wife's death, in 1826, he resided permanently in Europe, where he died, of Asiatic cholera, at the age of seventy-six.[2]

Dr. Slade's descent in the maternal line is as follows: —

1. Rev. NATHANIEL ROGERS,[3] of Dedham and Coggeshall, in Essex, England, born about 1598; married, in England, MARGARET CRANE, daughter of Robert Crane, of Coggeshall; came to New England in 1636, and settled at Ipswich, Massachusetts; died 3 July, 1655.

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[1] The facts relating to Slade's paternal ancestry were communicated by his son, Denison Rogers Slade.

[2] His estate was administered here in 1854. (Suffolk Probate Files, No. 39,263.)

[3] The English ancestry of the Reverend Nathaniel Rogers has been so often stated with great inaccuracy that the attention of those interested therein is called to the elaborate article on the Rogers Family, by Henry F. Waters, in the New England Historical and Genealogical Register for 1887, xli. 158–188. That paper contains abstracts of English Wills of the Rogers and Crane families, beside a tabular pedigree.

2. Rev. JOHN ROGERS, of Ipswich, Massachusetts, born in England, January, 1630–31; married ELIZABETH DENISON, daughter of Major General Daniel Denison of Ipswich, and grand-daughter of Governor Thomas Dudley, 1660;[1] died 2 July, 1684.
   He was President of Harvard College, 1682–1684.
3. JOHN ROGERS, of Ipswich, born 7 July, 1666; married MARTHA WHITTINGHAM, daughter of William Whittingham of Ipswich, 4 March, 1690–91;[2] died 28 December, 1745.
4. Rev. DANIEL ROGERS of Ipswich, and later of Exeter,[3] New Hampshire, born 28 July, 1707; married ANNA FOXCROFT, daughter of Rev. Thomas Foxcroft of Boston, their Marriage Intention having been entered 28 September, 1748; died 9 December, 1785.
5. DANIEL DENISON ROGERS, of Exeter, New Hampshire, and Boston, Massachusetts, born 11 May, 1751; married ELIZABETH BROMFIELD, daughter of Henry Bromfield of Harvard, 18 January, 1796; died 25 March, 1825.[4]
6. ELIZABETH ROGERS, born 11 September, 1798; married JACOB TILTON SLADE; died 14 August, 1826.
7. DANIEL DENISON SLADE, born 10 May, 1823.

Several of the names in the foregoing list of Slade's direct ancestors in the maternal line are those of men illustrious in the early history of New England.[5] Of his ancestor Major General Daniel Denison, whose name he bore, Slade has himself given a very complete and graphic account in various addresses and papers to be hereafter mentioned. The uneventful, but highly honorable, career of another of his mother's ancestors, Colonel Henry Bromfield,[6] of Harvard, Massachusetts, Slade has also sketched in an illustrated paper entitled A New England Country Gentleman in the Last Century. Of this most estimable man his great-grandson says: —

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[1] New England Historical and Genealogical Register for 1892, xlvi. 129.

[2] Ipswich Town Records.

[3] For an account of Mr. Rogers's connection with the Second Parish of Exeter, and for a copy of his epitaph, see Bell's History of the Town of Exeter, New Hampshire, pp. 196, 197.

[4] See *ante*, v. 210, *note*.

[5] To these might be added others with whom he was collaterally allied, as, for instance, John Singleton Copley, who lived on terms of intimacy with the Bromfield family. See Mr. Denison R. Slade's paper on Henry Pelham, *ante*, v. 193–211.

[6] See *ante*, v. 202.

"His descent through a long and direct line of ancestors, distinguished on both sides of the Atlantic for Christian virtues, intellectual abilities and culture, he regarded with just pride, and it was ever his constant endeavor to maintain the standard of *noblesse oblige*." [1]

There is no doubt that Slade himself kept this adage constantly in mind. He was modestly proud of his inherited *noblesse* and did not fail in endeavoring to live up to its standard.

Slade also gave an account of his grandfather, Daniel Denison Rogers, and a minute description of his stately residence on Beacon Hill, Boston, in a paper read before the Bostonian Society, 14 April, 1891.[2] It was in this house that Slade's parents were married, 13 May, 1819, by the Rev. F. W. P. Greenwood of King's Chapel, when "there was a full band of music in the entry and the whole affair was unusually gay and imposing." [3] The house had been built in 1795 by Slade's grandfather Rogers, who took up his residence in it immediately upon his marriage, in January of the following year. It stood upon the lot of land at the north-easterly corner of Beacon and Mount Vernon Streets which (or at least a part of which) had formerly belonged to William Molineaux or Molineux,[4] who died 22 October, 1774,[5] and who had also built upon his portion of it "a mansion house quite splendid for those days." [6] The two houses appear to have been confounded by some writers,[7] but they were wholly distinct. What became of the Molineaux mansion has not been ascertained. The house built by Daniel Denison Rogers stood until 1834, when it was taken down and a block of dwelling-houses was erected upon the site. These, in their turn, are shortly to be levelled to make one of the contemplated open spaces around the State House.

[1] New England Magazine for March, 1890, New Series, ii. 3–20.

[2] This paper has not been printed. It was entitled A Boston Merchant of 1791. See *ante*, v. 210, *note*.

[3] Henry Bromfield Rogers's Family Record.

[4] In the old deeds, as recorded, the name is spelled Molineaux.

[5] Boston Gazette, No. 1019, of Monday, 24 October, 1774, where an obituary notice may be read. See also Suffolk Probate Files, No. 15,715; and Suffolk Deeds, clxxv. 67.

[6] "Gleaner," in Boston Record Commissioners' Reports, v. (Second edition) 120, 121.

[7] See Drake's Old Landmarks of Boston, p. 357.

The Rogers mansion, which will be remembered by some of our older members, was a large house three stories in height and surmounted by a cupola. It was built of brick and brown freestone and stood considerably above the present level of the adjacent streets. It had a garden in the rear and wide open spaces on every side. The entrance was from Beacon Street, where the natural slope of the hill had been fashioned into a series of terraces, through which a corresponding number of flights of steps and a broad paved walk led up to the front door.[1] It was in this house that Mr. and Mrs. Jacob Tilton Slade took up their abode on their return from a visit to Europe in the course of which their eldest child, Elizabeth Bromfield, was born, — at Brighton, England, 23 March, 1821.[2] Here they continued to reside, with Mrs. Slade's parents, for two or three years, and here their only son, Daniel Denison Slade, was born.

In the spring of 1824, Slade's parents went to housekeeping in a house in Mount Vernon Street, the property of Mr. Joseph Joy (now No. 28 Mount Vernon Street, and lately the residence of Col. Greeley Stevenson Curtis), and it was not until late in the autumn of 1825 that they removed to a new house which Mrs. Slade's father had begun building, expressly for her use, at the northerly end of his garden, and had left unfinished at his death, in March, 1825.[3]

[1] On either side of the entrance gate, on Beacon Street, were curiously constructed semi-subterranean stables and coach-houses, the flat roof of which, tarred and gravelled, formed the first step in the series of terraces, and effectually concealed these buildings from the view of one looking from the house. The arched doorways of these stables form a conspicuous feature of what is said to be a fairly accurate picture of the Rogers house comprised in a view of the State House printed in blue upon sets of contemporaneous earthenware. Dr. Slade gave an elaborate description of the house in his paper, A Boston Merchant of 1791 (*ante*, p. 218, *note*). Dr. Slade's paper was accompanied by a colored drawing of the exterior of the house, made by himself from memory, and by other drawings, plans, models, and portraits. The house is also described by Lord Lyndhurst, in a letter dated Boston, 21 January, 1796, printed in A Life of Lord Lyndhurst, by Sir Theodore Martin, p. 42.

[2] Elizabeth Bromfield Slade was baptized at Brompton, in the parish of Kensington, near London, 13 September, 1821; married in Boston, Henry Schmidt, of Bremen, Germany, 12 August, 1841; and died in Wiesbaden, Germany, 10 March, 1880.

[3] This house was the more westerly of the two houses which were finally built in Mr. Rogers's garden, and fronted on Mount Vernon Street. The two

Dr. Slade's mother did not long enjoy "the elegant and convenient house" built for her by her father. She died there 15 August, 1826, soon after giving birth to her third child, Mary Ellen, — 16 July, 1826. Her health had been delicate ever since her marriage, and she died at the early age of twenty-nine.

Very soon after his wife's death Mr. Jacob Tilton Slade went to Europe,[1] whence he never returned, and, in December, 1827, Mr. Henry Bromfield Rogers was appointed guardian of his three minor children.[2] The young Daniel, aged about three years, with his two sisters, now went once more to live in the Rogers mansion house, where their uncle and guardian, being still a young man and unmarried, also had his abode. Here the boy remained under the care of his grandmother and his aunt Hannah, afterward Mrs. William Powell Mason, until he was ten years of age, attending meanwhile several elementary schools.

In 1833, Slade was sent to the boarding-school kept by Mr. Stephen Minot Weld at Jamaica Plain, and afterward to the family school of the Rev. Samuel Ripley at Waltham. His stay at both these schools was short and in 1835, at the age of twelve, he was sent to Northborough, where he remained for two years under the charge of the Rev. Joseph Allen. At all these country schools young Slade had opportunities of becoming acquainted with rural life and of familiarizing himself with the varied aspects of nature which thenceforth never ceased to have a special attraction for him. In a letter written from Northborough, in 1835, quoted by Dr. Eastman,[3] he says: —

houses are now joined, much enlarged, and styled the Commonwealth Building, No. 11 Mount Vernon Street. As there has been some uncertainty as to Dr. Slade's actual birthplace, he himself not being sure in which of the three houses mentioned his birth took place, it has been thought desirable to insert the foregoing particulars, derived from a Family Record written by his uncle, the late Henry Bromfield Rogers, in 1827, a copy of which was lent to the writer by Mr. Denison R. Slade.

[1] Mr. Slade left Boston on Monday, 25 April, 1827.

[2] Suffolk Probate Files, Nos. 28,523, 28,524, 28,525. The petition for guardianship was signed by Henry B. Rogers, also by Elizabeth Rogers, sole surviving grandparent, and by John Rogers, uncle, and Hannah Rogers, aunt, of the children.

[3] Daniel Denison Slade, by Charles R. Eastman, Ph.D., Reprinted, with additions, from the New-England Historical and Genealogical Register for January, 1897, li. 9–18.

"The boys have got a society up among themselves to collect specimens of stones and curious things that we might happen to find. I was chosen Secretary, but declined the office. We have a meeting every Monday evening."

In a journey on horseback which Dr. Slade made with his daughters, in the autumn of 1883, and of which he published an account, the party halted for the night at Northborough, and the author gives a page to his boyish reminiscences of the place, where, he says, he "passed some of his happiest school days under the guardianship of the old pastor, who was the true pattern of a Christian gentleman."[1]

Frequent visits as a boy to the old mansion house at Harvard, with its farm of one hundred and twenty acres, which had been the residence of his great-grandfather, Henry Bromfield, had a still stronger influence in developing Slade's life-long fondness for the country and for a country life. The old house was occupied from 1823 to 1835 by the Rev. Ira Henry Thomas Blanchard, who, during that period, was pastor of the Unitarian Church in the village of Harvard. His wife was a daughter of the Rev. Dr. Eliphalet Pearson,[2] and granddaughter of Col. Henry Bromfield. Her mother was half-sister to Slade's grandmother, — Mrs. Daniel Denison Rogers. On the boy's visits to Harvard Mr. Blanchard had been, not only his host, but his chief companion and confidant, and to him he wrote the letter from which the following extract is taken. It is dated 26 November, 1841, Slade being then a Sophomore in College:[3]

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[1] Twelve Days in the Saddle, p. 32.

[2] See *ante*, v. 198 *n.*, and 205 *n.*

[3] Mr. Blanchard was succeeded in the occupancy of the Bromfield mansion by his wife's brother, Henry Bromfield Pearson, whose residence it was when it was destroyed by fire, 3 August, 1855.

The Rev. Ira Henry Thomas Blanchard died 9 April, 1845, in Weymouth, where he was born 9 September, 1797. His wife, Margaret Bromfield (Pearson) Blanchard, to whom he was married 30 May, 1825, survived until 29 November, 1876. By her will she gave a generous portion of her estate to found a school, to be located on the site of her grandfather's homestead, as a monument to him. Among the Trustees appointed by Mrs. Blanchard to manage the school was her kinsman, Daniel Denison Slade. In 1887, his son, Denison Rogers Slade, was chosen a Trustee, to fill a vacancy in the Board. The Bromfield Schoolhouse, a view of which is in the History of Harvard, was erected in 1877–78. (Nourse's History of the Town of Harvard, pp. 231, 232, 379–383; and *ante*, v. 198 *n.*, 202 *n.*, and 203 *n.*).

"... You know my tastes. I attribute my great love for the country and for agricultural affairs to the early age which I passed so pleasantly at Harvard with you. Some of my happiest associations are connected with that period. It is my earnest hope that nothing will ever occur to diminish my great love for rural life."

Doubtless, too, the old Bromfield house, stored as it was with ancient family portraits and other mementos of Colonial times, contributed not a little to awaken the youth's interest in historical pursuits and legendary lore.

In 1837, in the first year of the head-mastership of Epes Sargent Dixwell, Slade was entered as a pupil in the Boston Public Latin School. He was then about fourteen years old. He had passed the age at which boys were usually admitted to the school and his stay was less than the customary four years. He thus missed the thorough grounding in the classics obtained by pupils who take the whole course at that famous school, a circumstance which placed him at some disadvantage with his fellows;[1] but that the work of preparation for college was sufficiently accomplished is shown by the fact of his passing the examinations for entrance to Harvard without conditions. He was also awarded a silver medal at the Latin School for Latin hexameter verses.[2]

In 1840, Slade entered Harvard College as a Freshman, in the class of 1844, and remained through the whole course. He did not take high rank for scholarship and probably never made any serious or persistent effort to attain it. He studied, however, with sufficient *diligence* to merit a Detur[3] in the Sophomore year, but he had no Part at any of the Exhibitions nor at Commencement. On the other hand, he never incurred any serious penalties either for negligence or misconduct. He appreciated the independence of College life, as compared with that of a schoolboy, and gave much

[1] Slade refers to this in a memorandum quoted by Dr. Eastman, in his Memoir, p. 5.

[2] The gaining of this medal may have first kindled the desire for similar distinctions which, later, seemed to have become almost a passion with him. The medal, with the original blue ribbon attached to it, was carefully preserved through life by Dr. Slade, as well as files of Monthly Reports of the Latin School.

[3] These prizes are awarded "*pro insigni in studiis diligentia.*"

of his time to pursuits not embraced in the curriculum. Like most young men of that day having any taste for music, he practised the flute, then the favorite instrument of the Pierian Sodality, though he never attained sufficient proficiency to make him eligible to that association. At one time, influenced, perhaps, by the example of his classmate Ballard, with whom he became very intimate, he took up painting in oil colors and produced a number of landscape sketches which he would show, with a humorous exaggeration of their merits, as his "*chefs d'œuvre.*" He became a member of the two debating societies, the Institute and the I. O. H., but, like most of those who joined them, took no more than a perfunctory interest in their proceedings. It was otherwise with the Harvard Natural History Society, in which he took a lively interest and of which he became Curator of Ornithology and of Geology, Treasurer, Vice President, and President. Here he found a field for the exercise of tastes which had already begun to be developed by his youthful experience of country life and to which he remained ever faithful. It was before the small audiences of this Society that he began his career as a lecturer. One of the papers read by him was on the Skunk,[1] another, intended especially for the benefit of his friend Francis Parkman, was on the Moose.

In the letter to the Rev. Mr. Blanchard, already quoted, Slade speaks of a lecture recently delivered by him, doubtless before the Natural History Society, as follows: —

"I likewise send you my lecture, which, altho' not as long as it might be, occupied as much time as I could conveniently give to it. It went off with great *éclat*, I assure you, and was received with immense *applause*. I have stolen a few expressions, as you will perceive, but I pride myself on its being mostly original. I hope it will meet your expectations, in quality, if not in length."

The copy of the lecture, sent with the letter, is missing.

Sociability was always one of Slade's strongly marked characteristics, and life at College seemed to be chiefly attractive to him for the opportunities it gave for friendly intercourse with his fellows. Never aspiring to be a leader, he was yet fond of being a participant in whatever was going on, whether a game of foot-ball on

[1] We can imagine the suppressed glee with which he must have treated this unsavory subject.

the Delta, an Oxford Cap riot, or a "dance on the green" on a Class Day or at an Exhibition. He early conceived the idea of becoming the Annalist of his Class, and, after several desultory attempts, began, and continued without interruption, a daily record of events as they occurred. In after years, at the annual meetings of the Class at Commencement, he often read passages from this Diary to the great delight of his audience. Although his descriptions of scenes and events are apt to be provokingly meagre,[1] the *naïveté* and quaint unconscious humor both of the narrative and of the writer's contemporaneous comments, gave to these pages of the Diary — as they were read to an appreciative and friendly audience — an inexpressible charm. This "inadvertent humor," as James Russell Lowell calls a similar trait in the author of the Natural History of Selborne,[2] was a marked feature of Slade's ordinary conversation, as well as of his College Diary. It was not the only point of resemblance between him and the most delightful of Naturalists.

Among the many warm friends made by Slade during his College life was his classmate Francis Parkman. Their intimacy, based on a similarity of tastes, began with long walks taken together in the vicinity of Cambridge. In the vacation at the end of the Freshman year they made an excursion together into the wilds of New Hampshire and Maine, which has been described in the Memoir of Francis Parkman contained in the First volume of the Publications of this Society. The enforced companionship of a month's duration in this expedition was in some respects a severe trial to their friendship. Though they had many tastes in common, they had also some wide divergencies both of character and of physical constitution. Parkman, nervous, wiry, excitable, was constantly impelled by his indomitable will and resistless impetuosity to undertake the most difficult exploits and seemed wholly insensible to fatigue and every sort of physical discomfort. Slade, of larger frame and more loosely built, less alert, both physically and mentally, was disposed to take things easily, did not care to make

[1] Some years ago, when there was much discussion as to the modes of celebrating Class Day formerly in vogue, Slade's Diary was vainly appealed to for a description of the "exercises around the Tree," as practised in 1844. All he says on the subject is: "Our dance around the tree was much admired."

[2] My Garden Acquaintance (in My Study Windows, Boston, 1871), p. 2.

more effort than was absolutely required, grumbled at the petty annoyances of heat and dust, and was by no means indisposed to take his ease at an inn, when any offered. In the matter of sport Slade's preference was for the calm delights of fishing, and he was disposed to deride his companion for encumbering himself with "a heavy gun" for the sake of the vague chance of some day killing a moose. It is to the credit of both men that the occasional clashings which occurred during this expedition seemed rather to cement than to impair their friendship, — a friendship which was lifelong. In after years it was a mutual delight to them to talk over all the incidents of this journey into the wilderness and to recall its annoying, as well as its pleasant, episodes.

Early in Slade's college career the interest he took in everything relating to the American aborigines, the frequency with which he introduced in his ordinary talk words and phrases borrowed from Indian usages, and especially his habit of taking long walks, — which he called "going on the war-path," — gained for him the appellation of The Chieftain; but the sobriquet by which he finally became best known was that of The Count or The Good Count. The original form was Count de Grasse, and was bestowed in allusion to his frequent use in conversation, at one time, of the French phrase "*de grâce*," which he had picked up in the recitation room, and which seemed greatly to please his fancy. Identity of pronunciation soon led to the substitution of *De Grasse* for *de grâce*, and the name of this distinguished French nobleman naturally suggested the addition of his title of Count. Many, doubtless, used the title in addressing him without knowing whence it was derived, but there were those who knew and remembered. In a set of verses read by the Class Poet[1] at a meeting of the Class of 1844, on the twentieth anniversary of their graduation, Slade was thus apostrophized:

> "Thou man of medals! thee we must not pass.
> A veil of dignity doth grace,
> Not hide, the sly old humor of thy face,
> And peeping o'er thy prize essays we trace
> Thy portly form and beaming smile, *De Grasse!*"

The small group of his more intimate associates who first, in half quizzical mood, bestowed upon Slade this playful cognomen builded

[1] Charles Henry Boylston Snow.

better than they knew. The whole body of his classmates soon recognized its appropriateness in a wider sense than was at first contemplated, and it was with a sincere appreciation of his native nobility of character and of his moral worth that with one accord they thenceforth named him The Good Count.

Slade's strong social instincts not only made him keenly enjoy personal intercourse with his friends, but prompted him, in their absence, to endeavor to continue that intercourse by means of epistolary correspondence. He early began, and continued to the end, to be a voluminous letter writer. A package of seven letters written by him to a classmate,[1] while still in College and shortly after, has lately come into my hands. The letters are long, usually filling three and a half pages quarto, often crossed, and are in the same neat chirography which he retained, essentially unchanged, to the last, with no erasures or interlineations.

The first of this series of letters was dated at the Notch House, White Mountains, 10 August, 1842, and was written during a vacation tour at the end of the Sophomore year. He mentions that he had been at the same place the previous year with Francis Parkman and that his chief amusement then was trouting. He had been travelling, he says, since the first Monday of vacation and had visited Lebanon Springs, West Point, Catskill, Saratoga, Lake George, and Lake Champlain.

"I have visited," he continues, "everything in each town in any way connected with Indian or Revolutionary history or remarkable in natural curiosities."

He thus early combined a love of Nature with an active curiosity in historical matters. He refers to "the justly merited honors" obtained by his correspondent at the last term (when he had a Part with the first eight at the July Exhibition) and exclaims, "If I don't put into my books next winter, then it is because I have not the strength," and adds that he "had a pretty easy time last term." The ambition thus aroused was of short duration — perhaps strength of purpose was wanting — and Slade appears to have fallen back into his previous "easy" habits in the matter of study.

The second letter is dated Boston, 30 January, 1844, — about

[1] Henry Augustin Johnson.

the middle of the winter vacation of the Senior year. He gives a list of his occupations, as follows: "Reading, writing, fluting, going to parties, gymnasium, walking, and taking lessons in exploding vowels with Murdoch, the elocutionist," who thinks he has "a powerful voice." He gives gossipy news of several of his classmates, and says, "I have a nice room[1] where I do what pleaseth me." He is melancholy, however, at the thought that next term will be the last, and longs to get back and meet all the fellows. "Cambridge," he adds, "has been a happy home to me."

In the last term of the Senior year Slade was chosen Ensign of the Navy Club in the parade of which he took part. He was also one of the party which, according to the traditional custom, went on a fishing excursion in Boston Harbor, and was present at the Class Day exercises. Of all these occurrences he gives an account in the extracts from his Diary contained in a recent publication[2] by the Secretary of his Class. These extracts were the only portions of his Diary which Slade wished to have published.

In September, 1844, almost immediately after graduation, he went to live upon a farm near Greenfield, Massachusetts, for the purpose of acquiring a practical knowledge of agriculture, in furtherance of his often avowed intention of becoming a farmer. He writes from that place the third letter of the series mentioned, dated 5 November, 1844. He had then been eight weeks on the farm. Half his letter is taken up with reproaching his correspondent for delay in writing and for the shortness of his letter. Many of the fellows, he says, had written him at least two letters since Commencement, "and they have been answered." He had —

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[1] This was at the house of his uncle and guardian, Henry Bromfield Rogers, in Joy Street, Boston, which, after the death of his grandmother Rogers, in 1833, had become his home.

During his residence in Cambridge as an undergraduate, Slade roomed in his Freshman year at Mrs. Mary Gurney's. Her three-story frame house is still (1899) standing, and is now numbered 11 in Appian Way, — on the northwesterly side, midway between Garden and Brattle Streets. In his Sophomore year, he roomed at Mr. John Sweetman's, whose house is now (1899) No. 28 in Dunster Street, on the north-easterly corner of South Street; and in his Junior and Senior years in Hollis, 26.

[2] The Class of 1844, Harvard College, Fifty Years After Graduation, Cambridge, 1896.

"kept pretty steady at farming, with occasional trips to Keene.[1] . . . I leave Greenfield this week for Boston; . . . . farming is about over for this year, and it would not be a very comfortable place to spend the winter. No carpet on the floor and a straw bed." He takes his cold bath every morning "much to the astonishment of the 'coveys' who think it cold bath enough to go out to the barn before breakfast."

He announces his intention of spending the winter at Cambridge, where he has entered his name as a Resident Graduate, with seven others of the class, but he has "by no means got sick of agriculture and hopes to follow the pursuit in the spring." He gives, as usual, a budget of news of a number of his classmates. No fewer than eighteen are mentioned in this letter.

The fourth letter of the series is dated at Cambridge, 6 March, 1845. The winter, he says, has been pleasant and, he trusts, profitable. He has been reading Hume, among other books, studying a little Latin, *etc.*, has been reviewing Virgil, and likes it much. "How different from going over it in one of those dull school-rooms!" His room was at Royal Morse's,[2] — "the most

[1] Keene, New Hampshire, was then the residence of his classmates George Silsbee Hale and Horatio J. Perry, and was often visited by others of the Class. *Cf. ante*, i. 326.

[2] In Paige's History of Cambridge (p. 413) is an account of the "Men of Cambridge who fell in defence of the Liberty of the People, April 19, 1775," one paragraph of which is of interest in this connection:—

"Moses Richardson, born probably about 1725, was a carpenter, and resided in the house which still [1877] stands at the north-easterly angle of Holmes Place, and which was afterwards the home of Mr. Royal Morse for about three-quarters of a century." [The site is now (1899) covered by Austin Hall. The house is seen in the Plan of Cambridge about 1750, which faces page 212. It is the largest and most easterly of the row of four houses facing south upon the Common.]

In a foot-note Dr. Paige refers to —

"the late Mr. Royal Morse, born in 1779, whose memory of events which occurred during his life was remarkably comprehensive and accurate, and whose traditional lore was almost equivalent to authentic history."

Lowell, too, preserves interesting recollections of Mr. Morse in his Fireside Travels (edition of 1864, pp. 34–36), — in the chapter on Cambridge Thirty Years Ago: —

"Or shall the two town-constables be forgotten, in whom the law stood worthily and amply embodied, fit, either of them, to fill the uniform of an English beadle? Grim and silent as Ninevite statues, they stood on each side of the meeting-house door at Commencement, propped by long staves of blue and red, on which the Indian with bow

delightful situation in Cambridge," and he has "very pleasant neighbors, which is a blessing. . . . Should like to remain here all summer, but must do something if ever I am going to." He has done "a good deal of writing for Professor Sparks, most of which is very interesting, as it relates to the Revolution." He has "a most superb Newfoundland dog," given to him by his uncle. "My horse awaits me at Stearns's stable. How many blessings I enjoy, and how little thankful I am for them! Good health, of all things, is a blessing, and he who enjoys it, as I now do, enjoys the greatest boon Heaven can give for this life." He then speaks, very feelingly, of the recent death of his youngest sister:[1] —

"This poor girl never knew a father's or a mother's love since she was four months old, and she looked up to me for protection and a Brother's sympathy. . . . How she loved me!"

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and arrow, and the mailed arm with the sword, hinted at the invisible sovereignty of the state ready to reinforce them, as —

'For Achilles' portrait stood a spear
Grasped in an armèd hand.'

Stalwart and rubicund men they were, second only, if second, to S., [Francis Sales, Instructor in Spanish and French at Harvard, 1816–1854,] champions of the county, and not incapable of genial unbendings when the fasces were laid aside. One of them still survives in octogenarian vigor, the Herodotus of village and college legend, and may it be long ere he depart, to carry with him the pattern of a courtesy, now, alas! old-fashioned, but which might profitably make part of the instruction of our youth among the other humanities! Long may R[oyal] M[orse] be spared to us, so genial, so courtly, the last man among us who will ever know how to lift a hat with the nice graduation of social distinction! Something of a Jeremiah now, he bewails the decline of our manners. . . . 'Why, sir, I can remember when more respect was paid to Governor Hancock's lackey at Commencement than the Governor and all his suite get now.' M. is one of those invaluable men who remember your grandfather, and value you accordingly."

Mr. Morse was an auctioneer, the son of Royal and Katherine Morse (born in England and at Cambridge, Massachusetts, respectively) and a native of Cambridge, where he died, 31 January, 1872, at the advanced age of ninety-three years, seven months, and twenty-five days (Cambridge City Records). The Records of the First Church tell us that he was baptized — "Royal, of Katherine Morse" — 12 January, 1782, and that his mother was admitted to full communion the same day (pp. 123, 125). Obituary notices of Mr. Morse appeared, 10 February, 1872, in the columns of The Cambridge Chronicle and The Cambridge Press.

[1] Mary Ellen Slade, died 24 February, 1845, in her nineteenth year.

He does not omit his usual stock of news of classmates, of whom he mentions nearly a score by name, including Francis Parkman, of whom he says, he "has given up the Law for the present and is the man of leisure. He will never make anything." He mentions Parkman again as taking a few lessons of Papanti in dancing, and adds: "Think of it!" Toward the end of the letter he refers to an article he had written and published, and says: —

"It was true, if nothing else. Peirce tried to answer it but could not get over it any way. I have used my humble efforts to cause a reform in some of those departments, particularly mathematics. It is most shameful.[1] . . . As to my farming operations," he says, "I do not know when or where they will commence this spring. No plans yet matured." He kept up his "habit of moderate smoking," and had "not neglected the Graces, having learned the Polka and danced it at little parties."

The fifth letter of the series, dated Cambridge, 15 June, 1845, contains an account of the fire which destroyed the Panorama of Athens.[2] Graduates' Hall,[3] in which several of Slade's classmates had rooms, was in great danger and the confusion of moving out their furniture is graphically described. Stearns's livery stable was also in imminent peril, and Slade says he "worked most" on that, "having property in it, — a buggy, saddle, harness, *etc.*" He announces his abandonment of the study of agriculture for that of medicine in the following characteristic style: —

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[1] It has not been ascertained where or when this article was published. No copy of it has been found.

[2] See Publications of this Society, i. 270 and *note*.

[3] Graduates' Hall, now known as College House, is the long brick building owned by the College, still standing on the westerly side of Harvard Square. It extends northerly from the passageway between it and Lyceum Hall to the point where the street turns, north-westerly, at an obtuse angle, and thence to Church Street. The banking-rooms of the Charles River National Bank are on the lower floor of the southern end of the building, in one of the rooms of which the A Δ Φ was established in 1846. The name was changed from Graduates' Hall to College House about, or soon after, the time that the building was extended north-westerly to Church Street, — about 1860.

Old College House — more familiarly called "The Old Den," — a large wooden building, set back from the street, stood on that part of the lot which lies between the obtuse angle, just mentioned, and Church Street.

"Have you heard of my new Profession? Medicine, Dr. Slade — D. D. Slade, M. D. — Eh! — great! I am putting into it, and have joined the first school in Boston, under Hayward, Bigelow, Holmes, *etc.* Go to Warren's twice a week in the city, to see operations performed. We shall have three terrible ones this week. I enjoy plenty of advantages, and nothing is wanting but energy and perseverance. What a change from the farm! However, I hope to combine the two some day."

It is to be remarked that, with a mingling of frankness and reticence which was customary with him, even in writing to one to whom he seemed to unbosom himself most freely, Slade says nothing of the reasons which induced this change of purpose, beyond the mention of the "advantages" he enjoys, meaning, perhaps, those arising from his social position and the influence of powerful friends. He returns to this subject in the two following letters.

In the sixth letter, dated Cambridge, 4 November, 1845, he says he had spent the summer vacation in travel, visiting Niagara, Trenton, Montreal, and Quebec, and is enthusiastic in his admiration of Trenton Falls. He had also visited the White Mountains and had spent a week at Greenfield, where his "old farmers" greeted him most cordially. He adds: —

"Medicine prospers nicely. The lectures in Boston commence tomorrow and I shall have my hands full for four months. You will hear of Dr. Slade yet, I warrant you. . . . I still hold my old room at Royal Morse's and live in true Bachelor style. Have bought me a most beautiful black mare, and am happy as a King. I can see my way ahead now for five years, at least — three in Boston and two in Paris and Europe. . . . Do write and prove that you have not forgotten us . . . write soon and tell all you can. See, what a good long letter! Eh!"

The seventh, and last, letter of the series is dated Boston, 13 March, 1846. He is delighted at having a long letter from his correspondent, but —

"I am sorry that you are of opinion that my 'open heartedness,' of which some people accuse me, is deserting me. Heaven forbid it, if I really possess such a treasure."

His friend had, perhaps, taken him to task for not being more outspoken as to his reasons for studying medicine. If that was so, Slade, in his reply, avoids, rather than meets, the accusation: —

"My letters to you," he continues, "have contained some sentences, perhaps, a little '*sarcastic*,' but they were for your good, intended to shake you up a little, and remind you of your friends here. They did not seem to answer their purpose, so we will not try them again."

Of his new studies he says: —

"I have been very busy with my lectures, dissections, books, *etc.*, this winter, and shall continue so till the summer, when I shall haul up a little for recreation. I chose the right study, and no mistake, it becomes pleasanter and more interesting as I advance. Altho' hard at first, yet it grows less difficult weekly. There is no excuse for my not making myself a good physician, for I enjoy good advantages and shall enjoy still better. My object is to be of some service to my fellow-men, and not live thro' this life without benefiting any one but myself, as ten thousand do. I often think how much we have to do, and how little time to do it in, and then that we should deliberately waste so much of that precious time! But why should I *moralize*, it will not benefit either of us."

He is delighted that his correspondent liked so much The Cricket on the Hearth, then recently published: —

"Dickens is a noble fellow. I honour him and thank him for much of my most manly and better feelings. . . . I shall love the crickets so much the more now, altho' I always had a great respect for them. Perhaps you have heard me speak of my affection for them and call their chirp a 'melancholy pleasure' to hear. I always greet the first cricket of the year as an old friend."

He regrets the creeping on of years, putting —

"that college period still farther and farther in the shade; . . . those happy days and well remembered walks! No matter, we begin to see life as it is, or as it should be, now. We are men, and must do our duty '*as such*.'"

"Spring is coming again and I am looking forward to getting back to Cambridge, where with my horse, dog, *etc.*, I shall amuse my recreation hours. There are some nice fellows out there now. Saltonstall and myself are quite intimate, for, as we both own horses, we ride together a good deal."

No apology, it is hoped, will be needed for borrowing so much from these early letters of Slade. They cover a space of only three years and three months, but they portray the man more vividly than any formal analysis of his character could do. They were

written, indeed, by a mere youth, but in Slade's case there was less difference than is usual between youth and maturity. As he was in these three years, he remained, essentially, to the end. In him, if ever, the boy was father of the man.

According to his own account, and judging also from the result, Slade entered upon the study of medicine with a zeal and ardor which he had not shown at school or college. The study was interesting to him from its close connection with Natural History, necessitating, as it does, an investigation of the structure and functions of the human body. The dissections and clinical lectures he was called upon to attend were a series of object lessons in which he saw and handled *actual specimens*, the use of which he so strenuously advocated in his own subsequent teachings.[1] He was actuated, too, by the high motive announced in one of his letters above quoted, — "to be of some service to his fellow men." This object he never lost sight of, though he did not, perhaps, attain it in precisely the way he at first contemplated.

After three years' study in the Medical Department of Harvard College, he received, in 1848, the degree of M. D., and the appointment of House Surgeon in the Massachusetts General Hospital. While yet a student in the Medical School he was an eye-witness of the first capital operation under the influence of Ether, at the Massachusetts General Hospital, 7 November, 1846. Many years afterward he wrote an admirable account of it for Scribner's Magazine.[2] This article he thought was the best he had ever written; it was also the one for which he had been best paid. He held the position of House Surgeon in the Hospital for one year and then went to Europe, in the autumn of 1849, in accordance with the programme he had laid down for himself, passing, however, three years, instead of two, in studying his profession in Paris and Dublin. He also spent two months at the Veterinary College at Maisons-Alfort, near Paris, the most celebrated establishment of the kind in France.[3]

[1] See Dr. Eastman's Memoir, p. 10. [2] For October, 1892, xii. 518–524.

[3] Dr. Slade preserved among his papers a certificate from the Master of the House (whose name is illegible) testifying that Mr. Daniel Slade of Boston was a resident pupil in the Lying-in Hospital, Rutland Square, Dublin, from 6 August to 26 September, 1851; also a letter, dated 19 February, 1851, from the Director of the *École Nationale Vétérinaire d'Alfort*, authorizing "*M. Slade à suivre pendant deux mois les cours de physique et d'anatomie*," at that institution.

Returning home, in 1852, he took an office at No. 5½ Beacon Street, Boston, on the first of July of that year, and began practice in his native city. He at once made warm friends among his professional brethren, among whom may be mentioned Dr. John Collins Warren and his son Dr. Jonathan Mason Warren; also Dr. Richard Manning Hodges, who was associated with him as attending surgeon of the Boston Dispensary, and Dr. Samuel Abbott Green, afterward Mayor of Boston and now a Vice President and Librarian of the Massachusetts Historical Society, who had a room in the same house with him.[1]

In 1853, soon after beginning practice as a physician, the fact that he had, while in Europe, made special study of Veterinary Medicine caused him to be engaged to deliver a course of twelve lectures on that subject at the State House, Boston.[2] In 1865 he delivered another series of lectures in the same place and on a kindred topic, — the Importance of a Knowledge of the Physiology of Animals to the Farmer.[3]

In the American Veterinary Journal for January, 1856,[4] was published An Introductory Lecture Delivered on the occasion of the Commencement of the Boston Veterinary Institute by D. D. Slade, M. D., President of the Institute. The lecture is largely devoted to a history of the horse and an account of Veterinary Colleges in England and France. The occasion seems to have been literally a *commencement* or *beginning*, for in the opening paragraph of his address Dr. Slade says: —

"This day witnesses with us the commencement of a new era in the cause of science and humanity — the foundation of a Veterinary College."[5]

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[1] These friendships, like all those formed by Dr. Slade, were life long. Dr. Hodges, from his death-bed, sent the message, "Give my love to Slade," while Slade, who was dying at the time, urged that Dr. Hodges be sent for. Dr. Green says of him: "My regard for Slade was more than friendship, — it was love."

[2] These lectures were printed at the time in the Boston Traveller. They obtained for Dr. Slade a reward from the Massachusetts Society for Promoting Agriculture. (Letter of Benjamin Guild, *Secretary*, 6 June, 1853.)

[3] These lectures were printed in the Massachusetts Ploughman.

[4] Volume i., number 4.

[5] The Boston Veterinary Institute, of which Dr. Slade appears to have been the first President, was incorporated by the Legislature of Massachusetts

In October, 1853, Slade became a member of the Independent Corps of Cadets, — Boston's favorite military organization. About the same time he joined the Somerset Club. He continued to perform such light service as was then required in the Cadets for a little more than three years, receiving his discharge 8 November, 1856.[1]

Early in his medical career he began to write frequently for various medical journals, usually signing his articles *Medicus*, and also to compete for prizes offered for essays on medical and other subjects. This he continued to do almost to the end of his life, somewhat to the amusement of his friends, to whom the pecuniary rewards did not seem sufficiently large nor the honor sufficiently great to be attractive. An explanation may, perhaps, be found in the modesty of the man and his distrust of his own abilities. He was apt to be dissatisfied with whatever he did, and needed the encouragement which this sort of success gave him, and the stamp of approval thus bestowed. Between 1857 and 1862, he won four such prizes for essays on medical subjects, — the Boylston Medical prize of Harvard University in 1857, the Massachusetts Medical Society prize in 1859, and the Fiske Fund prize in 1860 and 1862.[2] Later, in 1875 and 1876, he obtained prizes for essays on subjects connected with landscape gardening and urban embellishment. It was with reference to these prizes that he was apostrophized in the verses already quoted as —

"Thou man of medals!"

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28 April, 1855 (Massachusetts Special Laws (chap. 251), x. 362), and seems to have been the earliest institution of the kind in the State. The persons named in the Act were George H. Dadd, David Roberts, Jonas Chapman, and John P. Jewett.

The American Veterinary Journal was edited by George H. Dadd, Veterinary Surgeon, and published by S. N. Thompson & Co., 97 Union Street, Boston. The writer has seen only two numbers of the Journal, — those for January, 1856, and December, 1857. This last contains an Introductory Lecture by George H. Dadd, Dean of the Faculty, as part of "the exercises commemorative of the third session of the Institute," and also Remarks of Col. Moses Newell, President of the Institute, from which it appears that Dr. Slade did not long hold that office.

[1] Letter of Captain Charles E. Stevens, 7 March, 1898.

[2] One of these, the Fiske Fund Prize Essay of 1860, has passed through three editions, the last being issued in 1896, — thirty-six years after obtaining the prize. Its title is, Diphtheria: its Nature and Treatment.

Slade continued to practise his profession for about ten years, or until his removal to Chestnut Hill, in 1862. After that date, though for a year or two he retained an office in Boston, he gradually relinquished the active practice of medicine. It must not be inferred that in so doing he abandoned the high purpose with which he had begun his medical studies, — "to be of some service to his fellow-men." To those who knew him well it was impossible to doubt that he kept this high resolve constantly in view throughout his whole career and that it was a controlling motive in all that he did, whether it was lecturing to farmers at the State House or to students at the Bussey Institution, writing essays on medical, agricultural, and horticultural subjects, or reading papers before historical societies.

On the twenty-seventh of May, 1856, Dr. Slade was married in King's Chapel, Boston, to Mina Louise, daughter of Conrad and Elizabeth (Lörtscher) Hensler. Eleven children were born to them, — four sons and seven daughters, — only one of whom, a son, has died.[1] The truly patriarchal dimensions of Slade's household were a constant delight to his classmate and neighbor Francis Parkman, who was always an ardent advocate of early marriages and large families.

On his marriage, Dr. Slade took up his residence at No. 17 Temple Place, Boston, but as early as 1860 he had purchased a small lot of land in Newton having an old dwelling-house and other buildings upon it, and two years later had bought another piece of land adjoining his first purchase, at the corner of Beacon and Hammond Streets. To this place he moved with his family, in 1862, occupying at first the old dwelling-house which had been the home of a former owner. He thus became one of the pioneers of the little colony of friends or relatives who settled at the place since called Chestnut Hill, on the borders of the three towns of Newton, Brookline, and Brighton. The old house, though several times enlarged, was finally abandoned for a commodious brick dwelling which he built near it in 1879, better suited to his own needs and those of his growing family. Here, in the

[1] Henry Bromfield Slade, died 23 March, 1879. Dr. Slade's eldest son, Denison Rogers Slade, has recently been elected a Resident Member of this Society.

immediate neighborhood of the Lees, the Saltonstalls, the Lowells, and others, and not far from his classmates and friends Francis Parkman at Jamaica Plain and Tappan Eustis Francis at Brookline, who became his family physician, he found abundant exercise for his social instincts and could gratify his rural tastes in laying out the grounds about his house, and establishing gardens and conservatories. It was almost the realization of his dream of some day combining the two occupations of farmer and physician.[1] How he was appreciated as a neighbor at Chestnut Hill was eloquently told by our late Vice-President, the Hon. John Lowell, at the Stated Meeting of the Society following Dr. Slade's decease.[2]

On becoming a resident of Newton, Dr. Slade took a lively interest in its affairs which he continued until his death. He joined the Newton Horticultural Society and became its President; wrote a prize essay on the question, How to Improve and Beautify the City of Newton; read at West Newton an essay on Road Construction,—both in 1875; and was a frequent contributor to the local press.

Early in the late Civil War, Dr. Slade became an associate member of the United States Sanitary Commission.[3] In 1862, he was appointed by the Commission one of the Special Inspectors of the General Hospitals of the Army,[4] and in that capacity was assigned to the District of Baltimore.[5] He made a Report on the District assigned to him,[6] and also, by request, a Special Report on Hospital Gangrene at Annapolis.[7] He was, besides, the author of the Report of a Committee on the subject of Amputation, published by the Sanitary Commission in 1861.[8]

Always devotedly attached to Harvard College, Slade had a special regard for his Class and was largely imbued with that "Class feeling," or "Class spirit," common among the small classes

[1] Later, this dream was more literally realized by the purchase of an "abandoned farm" near Lake Winnipiseogee, in New Hampshire, of which Dr. Slade wrote an account for The Nation of 4 September, 1890.

[2] See Publications of this Society, iii. 203.

[3] Documents of the United States Sanitary Commission, ii. Document No. 74. (New York, 1866.)

[4] *Ibid.* Document No. 79, Appendix B.

[5] *Ibid.* Document No. 79.

[6] *Ibid.*

[7] *Ibid.*

[8] The United States Sanitary Commission Publications, F., Report, *etc.*, 8°, Boston, 1861. See also History of the United States Sanitary Commission, Appendix No. 7, by Charles J. Stillé, Philadelphia, 1866.

of half a century ago and for which the graduates of 1844 were, perhaps, especially distinguished. It was, in great measure, because he was actuated by this spirit that Slade so faithfully kept the College Diary, already mentioned, and it was this again which prompted him, in 1864, twenty years after graduation, to attempt the compilation of a Record of the Class down to that date. It was an undertaking much facilitated by the habit which he had kept up of frequent correspondence with his classmates, by means of which he was better acquainted with their graduate career than any of his associates. With some slight assistance from the Class Book, in which members of the Class had, for the most part, neglected to inscribe more than their names and birth dates, but chiefly by means of letters addressed to all surviving members, Slade was able to prepare a pamphlet of sixteen pages, containing a brief notice of all his classmates with but few exceptions. This pamphlet, neatly printed but unostentatious in appearance, was distributed to the Class at the meeting held to celebrate their twentieth anniversary. It bore the date 1 July, 1864. It was among the earliest of the Class Reports, since become so common. Three, only, of these antedated Slade's, while two others were issued in the same year.[1]

At the Class meetings which have been regularly held at Cambridge on Commencement Day since the Twentieth Anniversary, Slade was always sure to be present, unless prevented by serious illness. Such a cause of absence occurred in 1882, when fifteen of his classmates, assembled on Commencement Day at No. 7 Holworthy, joined in writing to him a note expressing their regret at his absence, their sympathy for him in his illness, their high appreciation of his friendship and love, and their heartfelt desire that his life might be prolonged and his health restored.[2] The illness which kept him absent on this occasion was so serious as to cause his friends and medical advisers to fear that he had only a few

[1] The Class of 1856 issued their first Report in 1860, and a second in 1861. The Class of 1858 also published a Report in 1861. The Classes of 1861 and 1864 published Reports in the last named year almost simultaneously with Slade's. (Letter of W. G. Brown, Deputy Keeper of the Archives of Harvard College, 23 February, 1897.)

[2] This note is printed in full in Dr. Eastman's Memoir of Dr. Slade, p. 11. The absence of the signature of the Class Secretary is accounted for by the fact that he was then travelling in Europe.

months more to live. His lungs had been seriously affected, and one lung, it was said, quite destroyed. He recovered, however, sufficiently to be present at the next annual meeting of the Class, in 1883, and never, thenceforth, missed one of these meetings; but his health still remained delicate and he was constantly obliged to use care in avoiding exposure. His death, fourteen years later, was due to causes wholly unconnected with this illness.

Slade's connection with Harvard College, however, was not merely that of an alumnus. In 1871, he was appointed Professor of Applied Zoölogy in Harvard University, and, in 1885, Lecturer on Comparative Zoölogy and Assistant in Osteology in the Museum of Comparative Zoölogy. His professorship he felt constrained to resign in 1882, in consequence of his severe illness, already mentioned; the other two appointments he continued to hold until his death. His duties as Professor consisted in giving courses of instruction at the Bussey Institution at Jamaica Plain, comprising lectures and practical exercises in Applied Zoölogy, including the dissection of domestic animals.[1] His lectures upon the horse, especially, proved very attractive to others beside the regular students of the Institution. He was an ardent lover of the Horse. The "beautiful black mare" which he bought for himself in his resident graduate days had a long line of successors, and, as a medical man, he was a strenuous advocate of the hygienic value of equestrian exercise.[2] How acceptably he discharged the duties assigned to him may be learned from the following testimonials. In the Report of the President of the University for the year 1895–96, after announcing Dr. Slade's death, President Eliot says: —

"Dr. Slade was one of the first well educated American physicians to pay attention to comparative medicine and to study it in Europe. He was consequently ready, in 1871, when the Bussey Institution was opened, to give instruction in the anatomy and physiology of the domestic animals; and for eleven years he taught with great assiduity and acceptance in that School. After an interval of three years, he took up kindred scientific work as Assistant in Osteology in the Museum of Comparative Zoölogy and Lecturer on Comparative Osteology. He was a

[1] Report upon the Bussey Institution for the year 1877–78.

[2] See Introduction to his Twelve Days in the Saddle.

simple, straightforward, industrious man, who had a clear intelligence and a strong sense of duty. In addition to his attainments as physician and naturalist, he possessed an agreeable faculty of writing, which he exercised in various papers on the interests and occupations of rural and out-of-door life."

Included in the same report is a Report on the Museum of Comparative Zoölogy by its Director and Curator, Alexander Agassiz, in which, after mentioning the death of Dr. Slade, "who for many years had devoted his time to the Osteological Collection of the Museum," he says: —

"Dr. Slade attempted to build up an advance course of osteological research, and it was a great disappointment to him that he met with so little encouragement. He devoted his time mainly to the arrangement of the material in his charge, and wrote a number of papers on special subjects connected with osteology. He hoped to build up the osteological collection with special reference to its use as an aid in palæontological research."

It was eminently characteristic of our late associate that while the Government of the University set so high a value upon his services as Professor and Lecturer, he, himself, esteemed them as of far less worth. Under date of 11 September, 1876, five years after his appointment as Professor, and six years before his resignation, he wrote to President Eliot: —

"During my connection with the University, I have received, as Professor of Applied Zoölogy, compensation which I consider as beyond the value of the services rendered. I therefore propose to return to the University the sum of Six thousand dollars ($6000) with which to found a Scholarship in my name, unrestricted except it may be in favor of my own sons, if they hereafter pursue their studies at Cambridge."

This was the beginning of the correspondence that led to the establishment of the Scholarship in 1877.[1] The endowment of the Scholarship was, however, reduced from Six thousand dollars to Five thousand dollars, as appears by the Treasurer's Statement for the year ending 31 August, 1877, in which, among the Gifts enumerated as received during the year, was the following: —

[1] Letter of W. G. Brown, Deputy Keeper of the Harvard College Archives, 15 April, 1898.

"From Prof. Daniel Denison Slade $5000, as the foundation of the Slade Scholarship."

To this gift was attached the very sensible condition that —

"The Fund shall never be invested in a specific piece of property, but shall share in the general investments of the University" (p. 6).

Dr. Slade's duties as Assistant in Osteology took him back to Cambridge, which had been to him "a happy home" in his undergraduate days, — "those happy days and well remembered walks" which he still delighted to recall. He drove over from Chestnut Hill almost daily, when not prevented by inclemency of weather. He had rooms assigned him in an upper story of the vast Agassiz Museum, where it was pleasant to visit him in the "quiet and still air of his retired study" and to witness the loving care with which he handled and classified his osteological specimens.

Dr. Slade was a prolific writer. In the Memoir of him prepared for the New England Historical and Genealogical Register a list of sixty-eight of his works[1] is given. A number of these were strictly medical or scientific in character. Many were devoted to agricultural or horticultural matters, including the dainty little volume, The Evolution of Horticulture in New England, published a few months before his death. It is Dr. Slade's work in the field of New England Colonial history and biography, however, that will doubtless be most interesting to the members of our Society. The earliest of his publications having an historical character is his Class Report,[2] already mentioned, issued in 1864.

In the following year he wrote for The American Monthly — a continuation of the old Knickerbocker Magazine — an article entitled The Sacking of Deerfield, Massachusetts.[3] Slade was well acquainted with the scene of the massacre. During his agricultural apprenticeship at Greenfield, his rides and drives had,

[1] Only fourteen of Slade's literary productions were published separately, as books or pamphlets (including two not in Dr. Eastman's list); ten are reports of lectures, or courses of lectures, addresses and speeches; twenty were published in medical journals, and twenty-six in various magazines and newspapers. It is not certain that all his printed works have been enumerated.

[2] This pamphlet is not included in Dr. Eastman's list.

[3] The American Monthly for April, 1865, lxv. 308–312.

doubtless, often taken him through the neighboring town of Deerfield, only a few miles distant, and he may often have stopped at the old Sheldon house to examine the historic Door, defaced by Indian hatchets, and the wonderful scenes of slaughter, depicted in the most lurid colors on the inner walls. It was the custom, in those early days, for the stage coaches to stop regularly at the old Indian house to allow the passengers to inspect these curiosities. Slade, himself, had probably enjoyed this privilege on one or more of his College vacation rambles.

The outer Door of the old house was destined to play a part in a characteristic episode in Dr. Slade's career, which was also an event of some importance in the history of the town. A few years only after he had abandoned the practical study of agriculture at Greenfield, the owners of the house decided to take it down. Report says that the constantly increasing number of curious visitors had become too annoying for further endurance. The old house was accordingly demolished in 1848. Portions of it, however, were preserved, among them the old Door, which came into the possession of David Starr Hoyt, a member of an old Deerfield family, who lost his life during the early troubles in Kansas. In 1863, it was the property of his orphan daughter and was "nearly, or quite, all the patrimony the poor deaf girl had."[1] Friends bestirred themselves to effect a sale of the relic for her benefit, and no resident of the town, apparently, volunteering to become the purchaser, it was offered to Dr. Slade, whose interest in Deerfield and its history was well known, for the sum of one hundred dollars, though it was said that it had been held at a much higher price.[2] Slade did not hesitate to conclude the bargain, actuated, no doubt, in part by a charitable motive. The price was paid, and the Door was sent to him at Chestnut Hill, 10 October, 1863. He had it placed in his study, where it remained for several years, — an object of interest to all visitors.

Finally, the slumbering patriotism, or local pride, of the good people of Deerfield was aroused and a Committee was formed to negotiate for the return of their lost treasure. In reply to their application Dr. Slade wrote, in October, 1867: —

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[1] Letter of Ransom Noble Porter, M.D., to Slade, 29 September, 1863.

[2] *Ibid.*

"Since it [the Door] came into my possession I have always felt some compunction in regard to it; not that it was not fairly mine by right of purchase, but that it rightly belonged to the town of Deerfield and should be forever retained by that town as a most sacred relic."

It was soon agreed that the Door should be returned to the people of Deerfield on the repayment to Dr. Slade of what it had cost him. Certain conditions were also annexed to the transfer, namely, that the Door should be delivered into the charge of Trustees, to be appointed to receive it; that it should be kept in a situation easily accessible, as near as might be to the place it originally occupied; that the bill of sale should be recorded in the town records, and the bill itself kept with the deeds to the town. These conditions being accepted, the Door was sent back to Deerfield, where it arrived 19 February, 1868. It had been in Dr. Slade's possession a little over four years.[1] Its return was made the occasion of a popular festival, held in the Town Hall on the evening of 28 February, 1868, — the eve of the anniversary of the Massacre. The recovered relic, appropriately draped with the American flag, had a conspicuous position on the speakers' platform, a long historical address was delivered, poems were recited, and Dr. Slade was the hero of the occasion. He had been specially invited to be present and, when called upon for a speech, made a short address of a humorous character and at its close was given a round of cheers.[2]

The subsequent history of the Door is not without its vicissitudes. It was first placed by the Trustees in the front entrance hall of the principal hotel in the village, where it was protected by a glass case. Here it remained until May, 1877, when the hotel was burned to the ground. The Door, with its case, was, however, taken out uninjured, and conveyed to "the old corner store;" but the old store being soon after sold, it became necessary to find a new place of deposit. The one finally agreed upon, as best fulfilling the two conditions of safety and accessibility, was the corn house, or corn barn, of one of the townspeople. Here it remained

[1] For an account of these transactions and the further history of the Door, see a paper by the Rev. Peter Voorhees Finch, read before the Pocumtuck Valley Memorial Association, and published, at their request, in The Greenfield Gazette and Courier, Vol. lix., No. 7.

[2] See The Greenfield Gazette and Courier, of 2 March, 1868.

until September, 1879, when it was finally made over to the custody of the Pocumtuck Valley Memorial Association and placed in its Memorial Hall.[1]

It is evident that the interest excited by Dr. Slade's purchase and subsequent return of the Indian Door had no slight influence in bringing about the formation of the above mentioned Association, incorporated in 1870,[2] and the establishment of the Memorial Hall in which the Door has found its final resting place.

Dr. Slade's interest was not confined to Deerfield alone, but extended to the whole valley which takes its name from the aboriginal designation of that town. He had a peculiar fondness for the locality and visited it again and again, attracted no less by the charm of the landscape than by its historical associations. He was present, 12 August, 1884, at the eighth field meeting of the Pocumtuck Valley Memorial Association, held for the purpose of dedicating a Memorial Stone at Greenfield, on the spot where Mrs. Eunice Williams, wife of the Rev. John Williams, taken prisoner at the sacking of Deerfield, was killed by her Indian captors 1 March, 1704. On that occasion he read a paper advocating the erection of Memorial Stones, rather than more elaborate monuments, for marking historic sites, and made special reference to such a Stone erected a few years before at Stockbridge to the memory of the Housatonic Indians.[3] Later, he wrote for the Magazine of American History[4] an illustrated article on The Site of Old Fort Massachusetts, and for The Springfield Republican of 30 September, 1894, a long paper entitled The Grave at Fort Shirley.[5] The grave was that of a daughter of the Rev. John Norton, author of The Re-

[1] Dr. Slade's purchase and return of the Indian Door are mentioned in Parkman's Half Century of Conflict, i. 65, *note*. A representation of the Door, as it now appears in the Hall, accompanies a paper on Old Deerfield, by Mary E. Allen, in the New England Magazine for September, 1892, New Series, vii. 33-46.

[2] See Publications of this Society, i. 45.

[3] See The Greenfield Gazette and Courier of 18 August, 1884.

[4] For October, 1888, xx. 281-285.

[5] Forts Massachusetts and Shirley, together with Fort Pelham, were the three "Province Forts" built in 1744 by order of the General Court for the special protection of Slade's beloved Deerfield valley. These forts stood within the present towns of Williamstown, Heath, and Rowe, respectively. See Narrative and Critical History of America, v. 187.

deemed Captive.[1] Slade seems to have been particularly interested in Fort Shirley. Immediately upon the incorporation, in 1891, of the Trustees of Public Reservations,[2] he became a member of the Board, in the Seventh Annual Report of which, after mention of his decease, occurs the following passage: —

"Mr. [*sic*] Daniel D. Slade was present at the last annual meeting and spoke interestingly of his investigations of the site of Fort Shirley" (p. 16).

Another group of Dr. Slade's historical publications consists of speeches, papers, and magazine articles relating to his ancestor Major-General Daniel Denison. On the sixth of April, 1870, Dr. Slade joined the New England Historic Genealogical Society. In July, 1869, he had contributed to the Register published by that Society an article on General Denison. On the twentieth of September, 1892, occurred the Two hundredth anniversary of the death of General Denison, and the town of Ipswich, which had been his home and where he was buried, held memorial exercises in the Town Hall. Dr. Slade was present by invitation and the Biographical Sketch of his ancestor which he read appears to have been the chief event of the evening.[3] The sixteenth of August, 1884, was the two hundred and fiftieth anniversary of the incorporation of the town of Ipswich, and the day was duly celebrated by a procession, an historical address, and a dinner. At the dinner Slade was called up to respond to a toast to —

"The Distinguished Men who have illustrated the Annals of Ipswich,"

and made a short speech summarizing the life and services of his ancestor.[4] In April, 1892, he printed the Autobiography of Major

[1] The title of this little tract of forty pages, first printed in Boston, in 1748, is the same as that given by the Rev. John Williams (H. C. 1683), to his Narrative, first published in Boston, in 1707, of the destruction of Deerfield, 29 February, 1704–5, and of his experiences during his captivity in Canada. See Narrative and Critical History of America, v. 185, 187 and *notes;* and Sibley's Harvard Graduates, iii. 249–262.

[2] Acts of 1891, chapter 352.

[3] Denison Memorial, Ipswich, Massachusetts, September 20, 1882. Two hundredth Anniversary of the Death of Major General Daniel Denison. Biographical Sketch by Prof. D. D. Slade. Historical Sketch, by Augustine Caldwell. Printed by the Request of the Denison Memorial Committee. Dr. Slade's Address fills twenty-five of the fifty-two pages of the pamphlet.

[4] The Celebration of the Two Hundred and Fiftieth Anniversary of the

General Daniel Denison, which had recently been found among the effects of another of his maternal ancestors, the Rev. Daniel Rogers of Exeter.[1] Finally, at the April meeting of this Society in 1893, he read a paper entitled Daniel Denison. In it were combined and amended his previous contributions upon the subject.[2]

Still another group of Slade's productions of this character relates to the Bromfield branch of his maternal ancestors. His first publication on this subject was a paper entitled The Bromfields, communicated, in 1872 and 1873, by instalments, to successive numbers of the New England Historical and Genealogical Register.[3] In 1890, he published the article, already cited, entitled A New England Country Gentleman in the Last Century;[4] and, in 1891, he read before the Bostonian Society the paper entitled A Boston Merchant of 1791, before mentioned.[5]

Besides these family histories, he published in the New England Historical and Genealogical Register for January, 1892,[6] a Letter of the Rev. Jonathan Mayhew to Richard Clarke, 1765, which Dr. Slade says, in his prefatory note, had recently been found among some of his ancestral papers. The letter relates to a sermon preached just before the Stamp Act riots in August, 1765. In March, 1894, at a meeting of this Society he made remarks on the so-called Louisburg Cross above the entrance to the Library of Harvard College, and exhibited engravings and read extracts from various publications relating to the subject.[7] He also wrote an article upon the same subject for The Bostonian,[8] which was not published until March, 1896, shortly after his death.

A valuable contribution to the history of his own times was his article entitled The First Capital Operation under the Influence

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Incorporation of the Town of Ipswich, Massachusetts, August 16, 1884. Boston, Little, Brown, and Company, 1884.

[1] New England Historical and Genealogical Register, xlvi. 127–132.

[2] Publications, i. 116–132.

[3] Volumes xxvi. and xxvii.

[4] See *ante*, p. 217; and v. 202.

[5] See Reports in newspapers of the time. Dr. Slade joined the Bostonian Society in 1894, but had ceased to be a member at the time of his death. See *ante*, pp. 218, 219, and *notes*; and v. 210 *n*.

[6] Volume xlvi. 15–20.

[7] Publications, i. 269, 270.

[8] Volume iii., number 6.

of Ether, already mentioned.[1] In the same category may be placed the little pamphlet of twenty-two pages printed for private circulation, in 1892, — The First Church at Chestnut Hill. It gives a short history of this Church, built at the expense of the late Thomas Lee, of Boston, and includes a transcript of the Parish Registers, in which are recorded the births of Slade's eleven children.

These more formal publications, however, by no means include the whole of Dr. Slade's historical work. He was an indefatigable writer of letters and short pieces for the newspapers, those on professedly historical topics and on rural affairs being the most numerous. For the Newton Journal he wrote a series of articles, intended, as he says, "chiefly for our younger friends." Among the titles of these are The Old Indian House at Deerfield, The Grave in The Pasture,[2] The Regicides, The Sudbury Fight (1676), and The Gypsies. For the Boston Transcript he wrote The Somerset Line-of-Battle-Ship, Class Day Twenty-five Years Since (1869), besides other pieces.

In whatever he wrote, whether on historical, biographical or miscellaneous topics, whether in his yearly report of The First Appearance of the Little Hepatica Flower, his protest against the shooting of an Eagle, his description of A Charming Spot, Slade seems to have had constantly in view the purpose of developing in the public, and especially in the young, a love of nature combined with an interest in historical events. It is by no means improbable that these apparently slight efforts had an influence in producing the present widespread attention given to the preservation of beautiful and historic places, the creation of Public Parks, and the recent great increase of local historical and patriotic societies.

Not till he had nearly reached his seventy-third birthday did the busy pen drop from his tireless fingers. Then the long delayed summons came and the peaceful current of his life ceased to flow. It was not the strenuous current of "rivers that move in majesty," but rather that of the "brooks that make the meadows green." He died at his residence at Chestnut Hill, 11 February, 1896. His funeral took place at his own house on the thirteenth, and was largely attended, although snow was falling heavily at the time.

[1] See *ante*, p. 233, and *note*.

[2] The Grave was that of Mary Goodnow of Marlborough, killed by Indians in 1717. The same story is told in his Twelve Days in the Saddle, pp. 29–31.

Dr. Slade was one of the Founders of our Society, his name being the seventh in the list of fourteen associates named in the Certificate of Incorporation, dated 29 December, 1892. At the first election of officers he was chosen one of the Council for the full term of three years. He was assiduous in the performance of his duties as a Councillor, and was a frequent attendant at our Meetings. He was last present at the Stated Meeting of the Society in December, 1895.

The portrait which accompanies this Memoir is a reproduction in photogravure, by A. W. Elson, of a photograph taken, 26 July, 1882, by Dr. Calvin Gates Page (H. C. 1890). It represents Dr. Slade, in the sixtieth year of his age, in a familiar attitude, on the terrace of his residence at Chestnut Hill.

ANNUAL MEETING, NOVEMBER, 1899.

THE ANNUAL MEETING was held at the University Club, No. 270 Beacon Street, Boston, on Tuesday, 21 November, 1899, at six o'clock in the afternoon, the President, EDWARD WHEELWRIGHT, in the Chair.

The Records of the last Stated Meeting were read and approved.

The PRESIDENT addressed the Society as follows: —

Gentlemen of The Colonial Society of Massachusetts: —

I have the honor of welcoming you to the Seventh Annual Meeting of our Society. As compared with some other Historical Societies, we are still in our infancy, but I think we may say, with just pride, that ours is a healthy and robust infancy and full of promise. The Reports of the Council and of the Treasurer, which will be read presently, will inform you of the doings of the Society during the past year, and of its financial condition. I think you will find both Reports eminently satisfactory. By the Report of the Council it will appear that the attendance at our Monthly Meetings has increased, while the papers read and the topics discussed at these meetings have been of so interesting a character that they might well have attracted still larger audiences.

The financial situation is greatly improved as compared with a year ago. The completion of The Gould Memorial Fund insures the continuance of our Publications, — one of the chief *desiderata* which Dr. Gould kept constantly in view; but a permanent place of abode, which was also one of the things he wished to insure for us, seems still far off. The man with $300,000, who our friend President Adams assured us at our Dinner last year would event-

ually come to our aid, has not yet appeared; in the meantime we are learning to rely upon ourselves.

Only two deaths have occurred in the Society during the past year, — those of Dr. Henry Parker Quincy and of Mr. Samuel Johnson. Both are spoken of in the Report of the Council, and I will only add that as Mr. Johnson died during the summer vacation no opportunity has yet been given, as is customary, to those desirous to pay an informal tribute to his memory. Such an opportunity will be afforded at the December Meeting.

The Annual Report of the Council was presented and read by the CORRESPONDING SECRETARY.

REPORT OF THE COUNCIL.

Pursuant to the By-Laws and in accordance with its custom, the Council submits its Annual Report.

The past year has been one of steady success and prosperity. It has shown that there are room and need for such an organization, and that lines of usefulness spread out in many directions. The question of direct, practical importance is, Where to most advantage may its energy and work be applied?

The Annual Dinner was given at the Algonquin Club on the evening of 21 November, our stated day, — the anniversary of the Signing of the Compact on board the Mayflower, — with a large attendance of the members of the Society and several invited guests.

During the year the Society has suffered a heavy loss in the deaths of Henry Parker Quincy and Samuel Johnson. While this number is small in itself and less than has too often been the case in other years, the character of the men, and their value to the whole community and to this Society, have made their deaths significantly felt.

Five resident Members have been added to the Rolls: —

CHARLES KNOWLES BOLTON,
ARTHUR THEODORE LYMAN,
JAMES LYMAN WHITNEY,
FREDERIC HAINES CURTISS,
WORTHINGTON CHAUNCEY FORD.

As usual, beside the Annual Meeting in November, five Stated Meetings have been held, from December to April, inclusive. In the papers communicated at these meetings the range of topics has been wide. Among the topics treated may be mentioned the Quakers; the Connecticut Land Bank; Suits involving land titles under the Pemaquid Patent, with some account of the early settlements in Maine; Places of Worship of the Sandemanians in Boston, with original plans of their sites; the use of the words Interval and Intervale elaborately discussed; the function of the Currency Controversies in the development of hostility to the Royal Government in the Provincial period; the early history of Yale College as shown in a series of letters by Jeremiah Dummer and others; and some account of Governor Yale's administration at Madras. Many other papers of interest and value were communicated and numerous original documents were exhibited, including among them unpublished letters of James Lovell and Samuel Adams to Colonel Henry Bromfield; an original Account of disbursements for the printing of Eliot's Indian Bible; a schedule of Governor Edward Hopkins's Hartford School Stock; extracts from the Records of the Court of General Sessions of the Peace, in 1720, relating to the action of the Governor and Council against John Colman for issuing pamphlets concerning the currency; curious trials at different times; suggestive extracts from the Records of the Court of Assistants; various original documents bearing upon the history of the Provincial period; a curious petition of Revolutionary Soldiers in 1775 touching the quality of the meat supplies,—an illustration of the repetitions of history; Quaker Marriage Certificate bearing the signatures of many prominent citizens of Philadelphia in 1709; and original letters of statesmen and others in the last century. There were also exhibited a rare print of Washington published in Boston in 1782, and an ivory miniature of Professor Joseph McKean, beside various other objects of interest.

At all the meetings, there was a general discussion of the papers and topics presented, and supplementary remarks were made, the large and increasing number of the members taking part in these discussions making a noticeable feature of the meetings. A gratifying indication of an active interest, not merely on the part of our Resident Members but also on that of our Corresponding and

Honorary Members, appeared in the communication for publication from Mr. Edward Field of Providence of a Diary kept in Boston by John Green from 1755 to 1764, containing many matters of interest, among others, mention of Washington's first visit to Boston; and of a Memoir of our late associate and Vice-President, Leverett Saltonstall, by the Honorable Joseph Hodges Choate. Other Memoirs, communicated by Resident Members, were those of Dr. Daniel Denison Slade by President Wheelwright and of George Martin Lane by Professor Goodwin.

During the year, occurred the three hundredth anniversary of the birth of Oliver Cromwell. Following the action of the American Antiquarian Society to secure some public observance of the day, a committee was appointed on the part of this Society consisting of the President and Messrs. Thayer, Lowell, Everett, Davis, Kittredge and Porter, to confer with similar committees of other societies upon some fitting commemoration of the event. A large and successful meeting in the First Church in Boston was the result.

Early in the year, at a full meeting of the Society, a resolution of hearty and well-deserved thanks to President Wheelwright was unanimously adopted; and now, at its close, the Council feels most sensibly the weight of added obligations to him for time and labor expended without stint, for gifts most generous and opportune, for constant and sagacious service in the Council, a successful administration of the affairs of the Society, and an untiring devotion to its every interest, as well as for graceful and valuable contributions to its literary and historical work.

The financial condition of the Society appears in the Report of the Treasurer, to be submitted this evening.

We are again indebted to the American Academy of Arts and Sciences for its generous hospitality in affording us the use of its Hall for our meetings; and we desire to place on record an expression of our appreciation of its courtesy and of our cordial thanks.

The members of the Society cannot regret more deeply than does the Council the unavoidable delay in bringing out our Publications. Financial conditions and that prudence in expenditure which the Council has ever sought to exercise required the suspension of our printing for a year and a half. These conditions,

however, no longer exist, and our work is progressing as rapidly as is consistent with accuracy and good workmanship. The Index of the forthcoming volume has been prepared with great care. Unusual difficulties have been encountered in consequence of the great number of foreign proper names which occur in the text. To ascertain the full names of these persons, in accordance with our custom, has entailed upon the Committee of Publication and the Printing Committee great labor, in which most valuable aid has been rendered by Mr. Matthews and Mr. Woods. Owing to the great pressure of the publishers' holiday work upon the resources of the University Press, it has been impossible for it to complete our work in time for us to distribute the volume before this meeting as the Council fully expected to be able to do. It is but just to these two committees to state, that the delay has not been occasioned by any lack of effort or diligence on their part, as is evidenced by the fact that the manuscript of that part of the volume which is not yet in print left the hands of the Printing Committee on the fifteenth of October. The printers give assurance, however, that the volume will be ready for distribution at an early day.

Various undertakings have been suggested in former Reports for this Society to attempt, in the way of collecting, preserving, and transmitting the accumulating materials of History. The field is wide and the work important. It is enough, here, to refer to them and to renew the suggestions. The main obstacle to carrying them out is the lack of funds; but this is as yet a young Society and time may do something for us in this respect. Meanwhile, even without money, much may be done in the way of original research and in well-directed work in justifying our existence and in establishing the high standard to which we have always aspired.

The TREASURER presented his Annual Report as follows: —

REPORT OF THE TREASURER.

In obedience to that requirement of the By-Laws which makes it the duty of the Treasurer to submit, at the Annual Meeting of the Society, a statement of the financial operations for the preceding year the following Report is submitted.

CASH ACCOUNT.

RECEIPTS.

Balance, 17 November, 1898		$438.90
Admission Fees	$50.00	
Annual Assessments	770.00	
Commutation of the Annual Assessment from one Member	100.00	
Interest	677.63	
Sales of the Society's Publications	5.60	
Gifts to the General Fund from two Members	110.00	
Withdrawn from Charlestown Five Cents Savings Bank	1,329.71	3,042.94
		$3,481.84

EXPENDITURES AND INVESTMENTS.

University Press, printing	$478.29	
A. W. Elson and Company, photogravures	50.00	
Louis P. Streeter, draughting	10.00	
Clerical Service	75.00	
Miscellaneous incidentals	341.29	
Deposited in Charlestown Five Cents Savings Bank: Commutation, Admission Fees, and Interest belonging to the Permanent Funds	927.63	
Mortgages on improved Real Estate in Boston, principal and interest payable in gold coin	1,300.00	
Interest in adjustment	18.71	
		$3,200.92
Balance on Deposit in Third National Bank of Boston, 10 November, 1899		280.92
		$3,481.84

TRIAL BALANCE.

DEBITS.

Cash		$280.92
Mortgages	$13,500.00	
Charlestown Five Cents Savings Bank	446.77	13,946.77
		$14,227.69

CREDITS.

Income		$457.69
Publication Fund	$600.00	
General Fund	3,170.00	
Gould Memorial Fund	10,000.00	13,770.00
		$14,227.69

HENRY H. EDES,
Treasurer.

BOSTON, 10 November, 1899.

Mr. G. ARTHUR HILTON read the following —

REPORT OF THE AUDITING COMMITTEE.

The undersigned, a Committee appointed to examine the accounts of the Treasurer of The Colonial Society of Massachusetts for the year ending 10 November, 1899, have attended to that duty, and report that they find them correctly kept and properly vouched; and that proper evidence of the Investments and of the balance of Cash on hand has been shown to us.

GEORGE NIXON BLACK,
G. ARTHUR HILTON,
Committee.

BOSTON, 20 November, 1899.

The several Reports were accepted, and referred to the Committee of Publication.

Mr. CHARLES SEDGWICK RACKEMANN, on behalf of the Nominating Committee, presented the following List of candidates for Officers for the ensuing year: —

PRESIDENT.
EDWARD WHEELWRIGHT.

VICE-PRESIDENTS.
WILLIAM WATSON GOODWIN.
JAMES BRADLEY THAYER.

RECORDING SECRETARY.
HENRY WINCHESTER CUNNINGHAM.

CORRESPONDING SECRETARY.
JOHN NOBLE.

TREASURER.
HENRY HERBERT EDES.

REGISTRAR.
FREDERICK LEWIS GAY.

MEMBER OF THE COUNCIL FOR THREE YEARS.
SAMUEL LOTHROP THORNDIKE.

A ballot was then taken, and these gentlemen were unanimously elected.

The CORRESPONDING SECRETARY reported that letters had been received from Dr. WOLCOTT GIBBS, the Rev. Dr. WILLIAM R. HUNTINGTON and Mr. GEORGE PARKER WINSHIP accepting Corresponding Membership.

On motion of Mr. ANDREW MCFARLAND DAVIS, it was unanimously —

Voted, That in view of the approaching Annual Meeting of the American Historical Association, to be held in Boston in December next, a Committee of three, of which the President shall be Chairman, be appointed to represent this Society.

On motion of Mr. ROBERT NOXON TOPPAN, it was then unanimously —

Resolved, That the members of The Colonial Society of Massachusetts, assembled at their Annual Meeting, desire to put on record their high appreciation of the services of Mr. HENRY HERBERT EDES as Treasurer, as one of the Council, and as Chairman of the Committee on Printing, from the very beginning of the Society of which he was one of the Founders; and to express to him their most hearty thanks for the untiring zeal and eminent ability which he has shown in promoting, in every way, the interests of the Society.

JAMES FORD RHODES, LL.D., of Boston, was elected a Resident Member, and the Hon. JAMES PHINNEY BAXTER, of Portland, Maine, a Corresponding Member.

After the dissolution of the Annual Meeting, dinner was served. The guests of the Society were the Hon. WINSLOW WARREN, President of the Massachusetts Society of the Cincinnati, the Hon. STEPHEN SALISBURY, President of the American Antiquarian Society, Dr. JAMES FORD RHODES, President of the American Historical Association, and the Rev. EDWARD HENRY HALL. President WHEELWRIGHT presided and the Rev. Dr. ARTHUR LAWRENCE invoked the Divine Blessing.

After dinner, speeches were made by the PRESIDENT, both the VICE-PRESIDENTS, all the guests, and the Hon. EDWARD J. PHELPS, one of the Honorary Members. Mr. SAMUEL SWETT GREEN also made some remarks suggested by Professor THAYER'S speech.

During the evening Mr. HENRY H. EDES said: —

MR. PRESIDENT, — I venture to interrupt for a moment the course of our proceedings as laid down on your programme because I want to propose a toast which I am sure will bring every gentleman present to his feet.

There can be no doubt that the members of the Society, without exception, have learned with deep regret that Mr. Woods's engagements have prompted him to ask to be relieved from further service in the office of Registrar. One of the Founders of the Society, — indeed, one of its principal Founders, — Mr. Woods has sat at our Council Board from the beginning, discharging faithfully and well the duties of the important office of which, until to-night, he has been the only incumbent, and giving to his colleagues the benefit of his recondite knowledge of all matters pertaining to the lineage of our early New England families.

Always ready to lend a helping hand in solving difficult questions that presented themselves to the Committee of Publication or to the Printing Committee, Mr. Woods has rendered a far greater service to the Society during the past seven years than the members realize, and he richly deserves their high commendation and applause. His loss from the Board of Government will be most keenly felt by his former colleagues, whose confidence and respect he has always held, and whose affectionate regard will follow him in his retirement from official place.

Mr. President, I give you the health of Henry Ernest Woods.

The toast was received with applause and was drunk standing.

DECEMBER MEETING, 1899.

A STATED MEETING of the Society was held in the Building of the American Unitarian Association,[1] No. 25 Beacon Street, Boston, on Wednesday, 20 December, 1899, at three o'clock in the afternoon, President WHEELWRIGHT in the Chair.

The Minutes of the Annual Meeting were read and approved.

The CORRESPONDING SECRETARY reported that letters had been received from Dr. JAMES FORD RHODES accepting Resident Membership, and from the Hon. JAMES PHINNEY BAXTER accepting Corresponding Membership.

The PRESIDENT referred to the death of Samuel Johnson, a Resident Member, and spoke of his deep interest in the Society which was evinced by his constant attendance at its Meetings, and by his zealous and devoted service as a member of the committee which raised the Gould Memorial Fund, to which he made a generous subscription. Mr. Wheelwright also referred to Mr. Johnson's genial presence and cordial, unostentatious manner, and recalled the fact that Mr. Johnson was of the committee which escorted him to the Chair on the occasion of his inauguration as President of the Society.

Mr. WILLIAM ENDICOTT spoke at some length in memory of his friend of half a century, and paid a warm tribute to

[1] The American Academy of Arts and Sciences having removed from the Boston Athenæum Building to that of the Massachusetts Historical Society, and its former Hall being required for the purposes of the Athenæum, this Society accepted the hospitality of the American Unitarian Association, proffered by its Treasurer and our associate, Mr. Francis H. Lincoln, in the Building of which the Meetings of the Society will in future be held.

Mr. Johnson's character. He spoke of his high standing in the community, especially in the mercantile world, where, for more than a generation, he had occupied a commanding position, administering with ability great trust estates and rendering much and various unpaid public service, besides conducting in part the affairs of the great commercial house with which both were connected for more than fifty years. Mr. Endicott also referred to Mr. Johnson's keen and active interest in the affairs of the Old South Church in Boston, and to his connection with many charitable organizations to which he gave generously of his time and wise counsel as well as of his ample means.

Mr. George Fox Tucker read copious extracts from a Diary kept in New Bedford, Massachusetts, in 1823 and 1824, by Joseph Russell Anthony, of the Society of Friends, who built the Joseph Delano house, and who died in 1840.[1] The Diary gives a curious and interesting glimpse of life in New Bedford at that time, and frequently refers to the troubles which arose over the "New Lights" in the Friends' Meeting. The views of the "New Lights" were similar to those of the Hicksites, and from their ranks the Unitarian Church in New Bedford received many accessions, among whom were members of some of the most prominent families in that town, including the Grinnells and James Arnold, whose name will always be associated with his noble gift of the Arboretum to Harvard College.

Mr. Albert Matthews read the following paper on —

JOSEPH BOUCHER DE NIVERVILLE.

It is well known that in 1747 the French and Indians attacked Township Number Four, now Charlestown, New Hampshire, at which time the fort at that place was defended by Captain

[1] Mr. Anthony was a native of New Bedford, where he was born, 14 October, 1797, where he always resided, and where he died, 7 July, 1840 (Letter of his son, Rowland C. Anthony, of New York City).

Phinehas Stevens.[1] Who commanded the forces repulsed by Captain Stevens, is a question which has never received an adequate answer. In a letter written 7 April, 1747, Captain Stevens himself said: —

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[1] Capt. Phinehas Stevens, the son of Joseph and Prudence (Rice) Stevens, was born at Sudbury, Massachusetts, 20 February, 1706–7 (Sudbury Town Records), and was baptized 27 April following (Sudbury Church Records). He married at Rutland, Massachusetts, 18 January, 1733–34, his cousin, Elizabeth Stevens, youngest daughter of Simon and Mary (Wilder) Stevens (Rutland Town Records). His christian name is often spelled Phineas, and in two documents he so spelled it himself (Massachusetts Archives, lxxiv. 51, xciii. 102); but in other documents he signed himself Phinehas Stevens (*Ibid.* lxxiii. 57, 210, 644, 690, xcii. 30, 85, 105, 201, xciii. 48, 74, 84), and his name is so spelled in the Records of his birth and baptism. For notices of Stevens, see Appletons' Cyclopædia of American Biography, v. 675, 676; New York Colonial Documents, x. 97 *note*; J. Farmer and J. B. Moore, Collections, i. 184; A. S. Hudson, Annals of Sudbury, Wayland, and Maynard, p. 22; H. H. Saunderson, History of Charlestown, N. H., pp. 556–568; C. Stark, Memoir and Official Correspondence of Gen. John Stark, pp. 372–385; Collections of the New Hampshire Historical Society, v. 199–205; New Hampshire Provincial Papers, vi. 22, 312; and Year Book, Massachusetts Society of Colonial Wars, 1901, p. 84.

In a paper read before this Society in March, 1896 (*ante*, iii. 220), Mr. Noble remarked that Stevens "is said" to have been presented with a sword by Sir Charles Knowles. The matter seems to be placed beyond a doubt by these extracts: —

"Friday last his Excellency Governour KNOWLES arrived here in the *Comet* Bomb from *Louisburg*" (Boston Gazette of Tuesday, 14 April, 1747, No. 1309, p. 3/1).

"We hear that the Honourable Commodore KNOWLES is so well pleased with the gallant Behaviour of Capt. *Stevens*, that he has given Orders to purchase the best silver-hilted Sword that can be made in Town, to be presented to that Gentleman, as an Acknowledgement for his Bravery and good Conduct" (Boston Evening-Post of Monday, 27 April, 1747, No. 611, p. 4/2).

"Last Week a very beautiful Silver-hilted Sword was purchased by Order, and at the Expence, of the Honourable Commodore KNOWLES, to be presented to Capt. Phinehas Stevens, for his Bravery in the Defence of the Fort at N. 4. as was mention'd in our last" (Boston Post-Boy of Monday, 4 May, 1747, No. 650, p. 2/1).

Stark and Saunderson both give the sixth of April, 1756, as the date of the death of Captain Stevens; but that this date is erroneous, is shown by the following extracts: —

"We have an Account of the Death of Capt. Phinehas Stevens, who, in the Year 1747 bravely defended the Fort at N° 4 on the Frontiers of this Province, and whom Admiral Knowles presented with a handsome Sword for his gallant Behaviour" (Boston News-Letter of Thursday, 26 February, 1756, No. 2799, p. 2/1). The same notice appeared in the Boston Gazette of Monday, 1 March, 1756, No. 48.

"We have also the melancholy News of the Death of the brave Capt. *Phinehas Stevens*, Lieut. *Alexander*, and Ensign *Judd*, all of the *New-England* Troops in *Nova Scotia*" (Boston Evening-Post of Monday, 1 March, 1756, No. 1070, p. 2/2, 3).

"The Enemy . . . call'd to us, and desired a Cessation of Arms until Sun rise the next Morning, (which was granted) at which Time they said they would come to a Parley. Accordingly the *French* General *Debelina* [1] came with about 50 or 60 of his Men with a Flag of Truce, and stuck it down within about 20 Rods of the Fort, in plain Sight of the same, and said, if we would send 3 Men to him, he would send as many to us; to which we complied." [2]

The true date is doubtless the sixth of February, as appears from the gravestone of Capt. Stevens's wife in the cemetery at Charlestown, New Hampshire, which bears this inscription: —

Capt Phinehas Stevens
died at Chignecto, N. S. Feby 6, 1756, who had been for many years in the Wars, and was Commandant of the Garrison in this town, and at different periods had many combats with the French and Indians.

Elizabeth, his wife, died Feby 15, 1778.

[1] The name is spelled "Debelina" in all the versions of this letter of 7 April, 1747, printed in the contemporary Boston newspapers, as specified in the note which follows. So far as I am aware, attention has not before been called to this fact. Belknap, writing in 1791, refers to the letter printed in the Boston Evening-Post of 27 April, 1747, but spells the name "M. Debelinè" (History of New-Hampshire, ii. 248); by President Dwight, the Frenchman is spoken of as "Monsieur Debelini" (Travels; in New-England and New-York, ii. 102, 103); but, as stated by Parkman, the usual form of the name is "Debeline."

When Mr. Noble's paper, mentioned in the preceding note, was read, the real name of the French commander had not been discovered. Mr. Sulte's letter containing this information was received as the third volume of the Society's Publications, in which Mr. Noble's paper appeared, was going to press, and enabled the Committee of Publication to insert the full name of de Niverville in the plates and also in the index.

[2] Boston Evening-Post of Monday, 27 April, 1747, No. 611, p. 4, where the letter is headed: "*The following is a Letter from Capt.* Phinehas Stevens, *Commander of the Fort at No.* 4. *about* 40 *Miles above* Northfield, *dated* April 7th 1747." The letter is also printed in the Boston Post-Boy of Monday, 27 April, 1747, No. 649, p. 2; in the Boston Gazette of Tuesday, 28 April, 1747, No. 1311, p. 2; and in the Boston News-Letter of Thursday, 30 April, 1747, No. 2350, p. 2. To whom the letter was addressed is not stated in the contemporary newspapers. Saunderson and Stark, who print the letter, say that it was addressed to Gov. Shirley (History of Charlestown, p. 35; Memoir and Official Correspondence of Gen. John Stark, p. 380); while a very similar letter, printed in the Collections of the New Hampshire Historical Society, iv. 109–113, is said to have been addressed to Col. W. Williams. The original letter would of course settle the point, but I do not know where the original is, a search in the Massachusetts Archives having failed to disclose it there. For the reference to

Most American writers and historians have merely repeated the statement made by Stevens, and for one hundred and forty-five years the name of the French leader masqueraded under the disguise of General or Monsieur Debeline. In 1892, Francis Parkman gave for the first time — for the first time, that is, in a work written in English — the true surname of the French leader. He wrote: —

> "The surrounding forest concealed what the New England chroniclers call an 'army,' commanded by General Debeline. It scarcely need be said that Canada had no General Debeline, and that no such name is to be found in Canadian annals. The 'army' was a large war-party of both French and Indians, and a French record shows that its commander was Boucher de Niverville, ensign in the colony troops." [1]

It will be observed, however, that Parkman merely speaks of him as Boucher de Niverville, not specifying which Boucher. As there were at that time innumerable members of the Boucher family, probably Parkman did not care to take the trouble of disentangling individuals. In the New York Colonial Documents, Boucher is called "Chevalier de Niverville," "Ensign de Niverville," "Mr de Niverville," "Sieur de Niverville;" [2] but nowhere is there material for identification. O'Callaghan, however, for reasons which do not appear, entered the name in the index as Jean Baptiste Boucher de Niverville; and thus has the name appeared, since 1892, in all works in which the French Commander is mentioned. An appeal for information made to Sir John G. Bourinot was by him transferred to Mr. Benjamin Sulte, of Ottawa, the highest authority in Canada upon such matters. On Saturday last there came from Mr. Sulte [3] a letter which

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the News-Letter, no copy of which is to be found in the Boston or Cambridge libraries, I am indebted to Mr. Edmund M. Barton, Librarian of the American Antiquarian Society.

[1] A Half-Century of Conflict, ii. 238, 239. The record referred to by Parkman is printed in French in Collection de Manuscrits contenant Lettres, Mémoires, et autres Documents historiques relatifs à la Nouvelle-France, iii. 272–313, 326–369; and in English in New York Colonial Documents, x. 89–132.

[2] New York Colonial Documents, x. 32, 42, 96, 97.

[3] The correspondence with Sir John G. Bourinot and Mr. Sulte was conducted by Mr. Edes; but, owing to stress of work, Mr. Edes was unable to prepare a communication at this time and asked me to do so. In a subse-

contained considerable matter already known, but in which was also found some valuable historical and genealogical material entirely new. The brief sketch which follows is largely drawn from this material.

Pierre Boucher de Grosbois, Governor of Three Rivers at various times from 1652 to 1667, was born in 1622, was twice married, after 1667 went to reside at Boucherville, and died 21 April, 1717.[1] By his second wife, Jeanne Crevier, he had several children, of whom it is necessary to mention only two. The eldest, Pierre Boucher de la Broquerie, was born in 1653, married Charlotte Denys de la Trinité 25 October, 1683, and died 17 August, 1740. The latter's son Joseph Boucher, the date of whose birth is unknown, was twice married, served in the wars between 1744 and 1760, in 1756 built ships on Lake Ontario, in 1757 made a map of that lake, and died 28 February, 1762.[2]

Returning, now, to Pierre Boucher de Grosbois, Governor of Three Rivers, it has been said that he had two sons, the elder being Pierre Boucher de la Broquerie. A younger son was Jean Baptiste Boucher de Niverville. Born 10 December, 1673, he married 10 February, 1710, Marguerite Thérèse Hertel, daughter of François Hertel de la Frenière, Seigneur de Chambly. Through his wife, Boucher inherited the seigneurie of Chambly, and in 1726 he was designated as Seigneur de Chambly.[3] In 1727 he took part in the campaign against the Fox Indians of Wisconsin;[4] and in 1732 and in 1740 he is referred to as Ensign.[5] It is not known exactly when he died, though he appears to have been alive in

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quent letter, Mr. Sulte gave some additional details which have been incorporated in the text.

[1] Pierre Boucher bought of Jacques Leneuf de la Poterie in 1660 a fief to which he gave the name of Niverville after a domain in Normandy near the place where Boucher was born. Fief Niverville, which had been purchased in 1648 by Leneuf from François de Champflour and had been obtained by the latter from the Hundred Partners about 1642, is now a part of Three Rivers. Boucher published in 1664 a book on New France, for a reprint of which see a paper by Mr. Sulte, entitled Pierre Boucher et son Livre, in the Proceedings and Transactions of the Royal Society of Canada, Second Series, ii. 99–168.

[2] See *ante*, iii. 378.

[3] Edits et Ordonnances, ii. 518, 519, 529, 551.

[4] Daniel, Grandes Familles, p. 421.

[5] Daniel, Aperçu, pp. 51, 59; Edits et Ordonnances, ii. 551.

1748. He it was who, according to O'Callaghan, attacked Number Four; but the fact that in 1747 he was in his seventy-fourth year is enough to prove that he could not have been the leader of the French on that occasion.

Joseph Boucher de Niverville, the son of Jean Baptiste Boucher de Niverville, was born 22 September, 1715. On the first of April, 1742, at Versailles, the King prescribed that the Chevalier de Niverville be given the first commission as Ensign that might become vacant; and on the first of May, 1743, the King appointed him "Enseigne en second." In March, 1746, he started from Montreal and went towards Boston, returning to Canada in May with two prisoners.[1] On April fourth, 1747, occurred the attack, which lasted three days, on Number Four.[2] On 15 February, 1748, he was appointed by the King "Enseigne en pied." In 1748 he was again on the war-path, near Lake Champlain in April, and at Fort Massachusetts in August;[3] and on 17 March, 1756, he was appointed Lieutenant by the King. In the spring of 1757 he approached Fort Cumberland on the Ohio, proceeded towards Virginia, and took some prisoners;[4] in August he was present at the taking of Fort William Henry by Montcalm;[5] and on 5 October, at Three Rivers, he was married to Josette Chatelin,[6] daughter of François Chatelin, retired Captain, by his second wife Marguerite Cardin. In 1759, he commanded Canadians and Indians at Sillery, near Quebec.[7] In 1762 or 1763 he was made Chevalier de Saint Louis, and his cross of Saint Louis, which he left to the church of Three Rivers, may still be seen there suspended to the ostensoir. In October, 1775, he assisted Jean Baptiste Bouchette in the difficult task of safely conveying Governor-General Carleton from Montreal, then occupied by the Americans, to Quebec. Until about 1796, he remained superintendent of the Indian settlements at Bécancour and St. François-du-Lac (Lake St. Peter), and died at Three Rivers, where he was buried 31 August, 1804.

Three years ago Mr. Sulte had the kindness to inform us that

[1] New York Colonial Documents, x. 32, 42.
[2] *Ibid.* x. 97.
[3] *Ibid.* x. 158, 177.
[4] *Ibid.* x. 580.
[5] *Ibid.* x. 607.
[6] Tanguay gives her name as Marie Joseph Chatelin.
[7] New York Colonial Documents, x. 994, 996, 1018.

the man who commanded the French and Indians in their attack on Wells in the summer of 1692, and whose identity had been obscured by American historians under various misspellings of his titular appellation, was Pierre Boucher de la Broquerie.[1] It now appears from Mr. Sulte's present letter, that the leader of the attack on Number Four was not only of the same family as the commander at Wells, but was the nephew of the latter. Thus, for a second time, we are indebted for valuable information to Mr. Sulte.[2]

The paper was discussed by President WHEELWRIGHT, Mr. HENRY WILLIAMS, and Mr. HENRY H. EDES.

Mr. CHARLES K. BOLTON read extracts from an account book of John Goddard (1730–1816) of Brookline, Massachusetts, a member of the First Provincial Congress and later a Representative from Brookline in the House of Representatives, who was appointed by the Committee of Safety, at the outbreak of the Revolution, Wagon-Master of the American forces. These extracts related to the military stores which the Americans were accumulating at Concord, in 1775. The original manuscript is in the Brookline Public Library.

During the discussion which ensued, President WHEELWRIGHT described the way in which General Rufus Putnam built the fortifications at Dorchester Heights, in 1776. He was followed, in a similar strain, by Mr. S. LOTHROP THORNDIKE, Mr. HENRY WILLIAMS, and Mr. ANDREW MCFARLAND DAVIS who said that, upon recent occasions, Senator Hoar had lauded Putnam at the expense of Dr. Manasseh Cutler, to whom belonged the first place in the history of the great enterprise of settling the Northwest.

Mr. JOHN NOBLE exhibited a Harvard Commencement programme of 1730, recently found in the Suffolk Court

[1] See *ante*, iii. 378.

[2] In preparing this paper, use has been made of the Dictionnaire Généalogique des Familles Canadiennes, par l'Abbé Cyprien Tanguay.

Files, and drew a comparison between the curriculum at Cambridge then and now.

AN OLD HARVARD COMMENCEMENT PROGRAMME.

The old paper of one hundred and seventy years ago which I have brought here for your inspection, came freshly to light the other day after a somewhat curious history. It had been humbly playing the part of "imperious Cæsar," and had been used — pasted upon the back — to mend and keep together the torn fragments of a tax-levy made in 1733 in a little township of Massachusetts. This tax-levy was made by the Assessors for the Proprietors of Townsend upon some ninety townsmen to raise the sum of £150, "to pay the Dets of the said Proprietors;" and was committed to the Collector, Jonathan Page, "to levy and collect and pay over to the Clerk of said Proprietors, Jasher Wyman."

The paper was used in evidence in the case of "Daniel Amery of Townshend in the County of Middlesex, husbandman, Appellant *vs.* William Lakin of Petersborough in the County of Middlesex, in the Province of New Hampshire, yeoman," and sundry others. [1]

The document is among the Files of the Court belonging to the case, [2] which involves much of the history of the town of Townsend, originally the southern part of the Turkey Hills, Lunenburg being created out of the northern part, — the former in Middlesex County, in 1732, the latter in Worcester County, in 1728.[3] There are over fifty papers in the case, among them, beside the pleadings, *etc.*, copies of various legislative acts, reports of commissioners from 1719 down to the time of the trial, copies of papers from the Proprietors' Records, a list of the original proprietors, with their respective lots and the owners of those lots in 1771, together with many deeds and depositions of the early settlers, — a considerable collection of material for local history.

It is unlikely that the Programme had any connection whatever with the case. It was merely its fate, after fulfilling its original

[1] Records of the Superiour Court of Judicature, 1772, xxxi. 180.

[2] Suffolk Court Files, vol. mxvii., group number 148,037 (Middlesex).

[3] Part of Townsend was included in the new town of Ashby, 6 March, 1767; and part of Lunenburg was established as Fitchburg, 3 February, 1764.

purpose in the world of scholars, to be turned to a new use in the contests of the courts, humble but serviceable, but why, where, and by whom, nothing remains to show. The venerable paper is the Programme for the Commencement at Harvard College in the year 1730. It has lost its date, — trimmed off by some irreverent hand to fit it to the exigencies of its new and later use; and the lower margin is missing. The names of the Commencers whom it launched into the world of letters, fix the date, however, beyond question. The list is headed by Peter Oliver, famous in the days of the Province, who was appointed on the Bench of the Superiour Court of Judicature, 14 September, 1756, after an extended judicial experience, and also after service in the Council; and was made Chief-Justice on the resignation of Benjamin Lynde in 1772, — the last Chief-Justice under the Crown, holding, in Suffolk, in February, 1775, the only term held in the Province that year, the brief records of which are on two pages.[1] Among the other names on the Programme are those of Walter Hastings, whose descendant, bearing the same name, has left a lasting memorial of himself in Walter Hastings Hall, one of the present dormitories of the College; of James Diman, Librarian 1735–1737; of Joseph Mayhew, Tutor and Fellow 1739–1755; of Eliakim Hutchinson, and of others known in New England history. Thirty-four names appear on the list here, while the Quinquennial Catalogue adds two more, Thomas West and Nathaniel Whitaker, making the number of the Class of 1730 thirty-six.

William Tailer was then the Chief Magistrate of the Province. The Dedication characterizes him in appropriate complimentary terms, and sets forth in sonorous Latin his honorable lineage, — a somewhat peculiar feature, due, perhaps, to a pride in him as a native New Englander. He had been appointed Lieutenant-Governor that year, succeeding William Dummer, and he served till his death, at Dorchester, 1 March, 1731–32.[2] He became

[1] See Mr. Noble's sketch of Oliver, *ante*, v. 71–74.

[2] Boston Record Commissioners' Reports, xxi. 155. Lieutenant-Governor William Tailer was the son of William Tailer, "a great Boston Merchant," and his wife Rebecca, the sister of William Stoughton (Memorial History of Boston, ii. 538). He married (1) 2 March, 1698–99, Sarah Byfield, youngest surviving daughter of the Honorable Nathaniel Byfield (Boston Record Commissioners' Reports, ix. 251; Sewall's Diary, i. 493; Suffolk Deeds, xxi. 148;

Acting-Governor on the eleventh of June, 1730, awaiting the arrival of Jonathan Belcher, who had been appointed Governor on the twenty-eighth of January, 1729–30, but who did not reach Boston to assume the duties of the office till the tenth of August.[1] Thus

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and *cf.* Suffolk Probate Files, No. 6449; and New England Historical and Genealogical Register for 1864, xviii. 288, 289), and (2) 20 March, 1711–12, Abigail, daughter of Benjamin Gillam, the widow of Thomas Dudley, son of Paul Dudley and grandson of Governor Thomas Dudley (Boston Record Commissioners' Reports, ix. 162, xxviii. 9, 37; New England Historical and Genealogical Register for 1856, x. 130, 131, and for 1865, xix. 254). As early as 1666, his father lived in the house at the southerly corner of Elm and Hanover Streets (Suffolk Deeds, xxi. 144), where he died, by his own hand, 12 July, 1682 (New England Historical and Genealogical Register for 1853, vii. 56), and where his widow entertained Andros, when he came to Boston, in 1686, where also, for a time at least, Andros took up his abode (Sewall's Diary, i. 162 *n.*, 202 *n.*). It was afterward sold to Edward Lyde, in 1701–2 (Suffolk Deeds, xxi. 148). He had had some share in ecclesiastical affairs, and served with Joseph Dudley as vestryman, and with Savill Simpson and Thomas Newton as Warden of the infant Episcopal Church, — King's Chapel (Quincy's History of Harvard University, 1860, i. 359; Foote's Annals of King's Chapel, i. 184 and *note*, 395, ii. 603, 605). He also had something to do with the affairs of the College, for when the Reverend Timothy Cutler claimed the right to sit as an Overseer, and the Board, by its vote, denied it, — as an undue stretching of the term "teaching Elders," "the Honorable William Tailer entered his dissent," 15th June, 1727. The General Court, memorialized, sustained that decision in the following December, and subsequently, by a like decision, closed the question, in June, 1730 (Quincy's History of Harvard University, i. 368–376). As his title of Colonel indicates, he was not without military experience. In the fleet which sailed from Boston for the reduction of Port Royal, that "nest of hornets" which was taken in October, 1710, he commanded one of the two Massachusetts regiments which made a part of the force (Memorial History of Boston, ii. 104, 105).

[1] In his Massachusetts Civil List, Whitmore says that Belcher "arrived at Boston August 10, 1730" (p. 43). This conveys a slightly incorrect impression. From a long account, filling more than a column, of the exercises which took place on that occasion, the following extract is taken: —

"On Saturday last [8 August], about the middle of the Afternoon we were notified by a Signal from Castle *William*, of the near Approach of His Excellency Governour BELCHER, in His Majesties Ship of War, appointed for his Transportation; which could reach no further that Night, than the Mouth or Entrance of the *Narrows*. Here His Excellency was waited upon, as soon as possible, by an honourable Committee from the General Assembly, with a Number of other Gentlemen, who were all received and entertained with that Nobleness and Affability which is natural to our Governour. The usual Services of the Sabbath were attended by His Excellency at the Castle, with decent & religious Solemnity" (New-England Weekly Journal of Tuesday, 11 August, 1730, No. 177, p. 1/2).

good fortune, which seemed so often to befriend him, placed his name at the head of a Commencement programme. It was not his first occupancy of the Executive Chair. Appointed Lieutenant-Governor in 1711, and serving in that capacity till the fifth of October, 1716, when he gave place to William Dummer, he became Acting-Governor on the ninth of November, 1715, and held that office till the arrival of Colonel Shute on the fifth of October, 1716. Colonel Elizeus Burgess, "an English gentleman," had been designated by the King as Governor on the seventeenth of March, 1714–15, and was proclaimed Governor on the ninth of November, 1715, but never came over to assume the duties of the office, and resigned in 1716, to be succeeded by Governor Shute.[1]

On landing, 10 August, Belcher went to the Council Chamber, where his Commission was opened, exhibited, and published, after which an entertainment was given at the Bunch of Grapes.

The following extracts fix the dates of the arrival of Lieutenant-Governor Tailer's Commission and of his meeting the General Court: —

I.

Thursday last being the Anniversary of His Majesty's happy Accession to the Throne; the same was observed here with the usual publick Demonstrations of Joy. . . .

The Honourable WILLIAM TAILER Esq; having received from His Majesty King GEORGE II. a Commisssion appointing Him to be His Majesty's Lieutenant-Governour of the Province of the Massachusetts-Bay &c. in the room of the Honourable WILLIAM DUMMER Esq; our late Lieut. Governour & Commander in Chief; on the same Day in the Afternoon the Gentlemen that were and had been His Majesty's Council, the Justices &c. waited on His Honour at the House of Col. *Byfield*, and conducted him to the Council Chamber, where the said Royal Commission was open'd and read, when His Honour took upon him the Affairs of the Government, and had the proper Oaths administered to him (New-England Weekly Journal of Monday, 15 June, 1730, No. 169, p. 2/1).

II.

The SPEECH of the Honourable *WILLIAM TAILER* Esq; Lieutenant GOVERNOUR and Commander in Chief in and over His Majesties Province of the *Massachusetts-Bay* in *New-England:* To the General Assembly of the said Province, Met at *Cambridge, June* 30th. 1730.

GENTLEMEN,

HAVING since your last Meeting had the honour to receive His Majesty's Commission for Lieutenant Governour of this Province, which was forwarded to Me by His Excellency Jonathan Belcher *Esq; lately Appointed our Captain General and Commander in Chief; I am now to acquaint you, That I have caused the said Commission to be Published in the usual Form, and in Pursuance thereof have taken upon Me the Administration of the Government, which occasions My Meeting you at this time . . .* (*Ibid.* of Monday, 13 July, 1730, No. 173, p. 2/1).

[1] Two events in this earlier period connect Tailer in a peculiarly interesting way with the history of Boston, however slight his share in them, one running

On that Commencement Day the Reverend Benjamin Wadsworth was the President of the College. He was approaching the middle of his term of service. He had succeeded John Leverett, who had so ably filled the office, and who died suddenly on the third of May, 1724. At that time religious dissensions were rife; other divisions of opinion and policy were frequent and sharp; personal jealousies were by no means unknown, and smouldered even where they did not blaze. The College had been hampered in many ways, and its Presidents had struggled along on the most meagre allowance of salary.[1]

To find a fitting successor to President Leverett was a matter of the utmost importance to the College, and of no little difficulty in itself. The Reverend Joseph Sewall of the Old South Church in Boston was chosen by the Corporation on the eleventh of August,

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into an indefinite future, the other having to do with its Provincial splendors and the legends and traditions of its past. The story of Boston Light is told in a Note on pp. 278–281, *post*. The other incident in Tailer's official life concerns the old Province House, established then as the residence of the Royal Governors and probably having as its first official occupant Governor Samuel Shute: —

"The Committee [of the Province Legislature] appointed to consider of a suitable place for the reception & entertainment of Col. Burges upon his arrival to this Government, Reported that inasmuch as there is no suitable house to be let, and the Mansion House, land & garden &c of Peter Sargeant, Esq., deceased is now upon Sale: The Committee are of opinion that it would be for the interest and benefit of this Province to purchase the same for their use and improvement" (Shurtleff's Topographical and Historical Description of Boston, p. 596).

After this Report, made on the third of June, 1715, an Order was passed by the House —

"That Mr. Speaker, the Representatives of the Town of Boston, and Col. Thaxter, be a committee to provide a suitable Place for His Excellency's present rec̄ption, and entertainment when he shall arrive, and to invite him thereto; and compliment His Excellency in the name of this House upon his safe arrival" (*Ibid.* pp. 596, 597).

This action was approved, £2300 appropriated on the seventeenth of December, the purchase made, and the deeds were passed, on the eleventh and twelfth of April, 1716, to Jeremiah Allen, Treasurer of the Province, Jeremiah Dummer, Treasurer of the County of Suffolk, and Joseph Prout, Treasurer of the Town of Boston (Suffolk Deeds, xxxii. 133, two instruments). The subsequent history of the historic Mansion is also given by Shurtleff. See also Hawthorne's Legends of the Province House, in Twice Told Tales.

[1] Quincy gives a most interesting and vivid account of the religious and political situation at this time, and of the condition of the College (History of Harvard University, i. chap. xvi–xviii).

1724, and confirmed by the Overseers on the twenty-sixth. His Church, however, was unwilling to give him up, and he declined. Judge Sewall briefly notes the event, without comment: —

"Wednesday Augt 12 . . . Scipio brings word this morning from Mr. Gerrish that my Son is Chosen President."[1]

Cotton Mather, who much desired the office and had a certain support, relieves his mind by an entry in his Diary, quoted by Quincy:

"This day Dr. Sewall was chosen President *for his piety*."[2]

Again he writes: —

"I am informed that yesterday the six men who call themselves the Corporation of the College met, and, contrary to the epidemical expectation of the country, chose a modest young man, of whose piety (and little else) every one gives a laudable character. I always foretold these two things of the Corporation; first, that, if it were possible for them to steer clear of me, they will do so; secondly, that, if it were possible for them to act foolishly, they will do so.

"The perpetual envy with which my essays to serve the kingdom of God are treated among them, and the dread that Satan has of my beating up his quarters at the College, led me into the former sentiment; the marvellous indiscretion, with which the affairs of the College are managed, led me into the latter."[3]

On the eighteenth of November the Reverend Benjamin Colman, of Brattle Street Church, Boston, was chosen by the Corporation and confirmed by the Overseers on the twenty-fourth. Here again the Church was reluctant to relinquish its minister, and he, too, hesitated, possibly influenced by his dealings with the Legislature in his efforts to relieve the impoverished condition of the College; at last he sent in his final decision (26 December) declining the proffered honor.

Disappointed again in his hope that religious influences might at last carry him into the coveted chair, Cotton Mather writes in his Diary on the twenty-second of November: —

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[1] Diary, iii. 340, 341 and *note*.

[2] History of Harvard University, i. p. 330. See Peirce's History of Harvard University, p. 141.

[3] Quincy's History of Harvard University, i. pp. 330, 331. See also Sparks's American Biography (First Series), vi. 327.

"The Corporation of this miserable College do again (on a fresh opportunity) treat me with their accustomed indignity."[1]

Due allowance should be made for Mather's disappointment. Aside from the failure of long cherished hopes, the wounding of personal feeling, the attack upon his self-esteem and the final crushing out of his darling ambition, he had, unquestionably, a sincere interest in the College and an honest dissatisfaction with its standard of scholarship and the general administration of its affairs. His views are strongly set out in a severe arraignment of the College, in a document found among his papers, without date, probably written, however, not far from 1723, on Points to be inquired into concerning Harvard College.[2] Many of his strictures seem to have had considerable justification.

After these two unavailing elections, the choice of the Corporation, on the eighth of June, 1725, fell upon the Reverend Benjamin Wadsworth, and the Overseers ratified it on the tenth. Born in Milton, 28 February, 1669–70,[3] a graduate of the College in the Class of 1690, a Fellow from 1697 to 1707, and again from 1712 till his election as President, he had been minister of the First Church in Boston since 1696, when he became associate pastor with the Reverend James Allen. He is said to have been inducted "with a formality hitherto unpractised in the land."[4] Judge Sewall thus records the event: —

"[1696.] Sept: 8. Mr. Benj- Wadsworth is ordain'd pastor of the first Church. Mr. Allin gave the charge, Mr. I. Mather gave the Right Hand of Fellowship: Spake notably of some young men who had apostatized from New England principles, contrary to the Light of their education: was glad that he [Mr. Wadsworth] was of another spirit. Mr. Willard was one who joined in laying on of hands."[5]

On the thirtieth of December, 1696, he married Ruth Bordman of Cambridge, daughter of that Andrew Bordman who was Steward

[1] Quincy's History of Harvard University, i. 331, 332.

[2] The paper is printed in full in Quincy's History of Harvard University, i. appendix lx, pp. 558–560. See also *Ibid.* i. 340, 341.

[3] Milton Town Records. He was a son of Captain Samuel Wadsworth, who lost his life in Sudbury Fight (Bodge's Soldiers in King Philip's War, 1896, pp. 218, 219).

[4] Memorial History of Boston, ii. 197. [5] Diary, i. 432.

of the College from 1682 till 1687.[1] She died, without issue, 17 February, 1744–45.

On his election as President, the General Court made Wadsworth the usual allowance of £150 "to enable him to enter upon and manage the great affair of that Presidency."[2] With much reluctance, it is said, he accepted the office, and was inaugurated on Commencement Day, 7 July. He died in office 16 March, 1736–37. His salary was fixed at £400, a sum whose effective amount was much lessened by various causes. A committee was appointed "to look out a suitable house for the reception of the President."[3] It became necessary, however, to build one, and £1000 was appropriated by the General Court, with unprecedented liberality, for the purpose. The work was slow, and the sum inadequate. The Corporation was obliged to apply to the General Court for a further grant, setting out the straits in which the new incumbent found himself: —

> "He can no where hire a convenient house for himself, and his family is divided, some dwelling in one house, and some in another. His household goods are disposed of in several houses and barns."[4]

He took possession 4 November, 1726, "when not half finished within;" and the house was not completed till the following January.[5] The house still stands on the College grounds, and is now known as Wadsworth House. For many years it was the residence of the President; its last occupant as such was President Everett. The administration of President Wadsworth was creditable to himself and generally satisfactory, though his health was precarious and his life not easy. Mr. Goddard, in his chapter on the Press and Literature of the Provincial Period, calls him —

> "a man of sound and serious rather than of brilliant parts, . . . not a man of extensive erudition or much acquainted with the sciences,"[6]

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[1] Paige's History of Cambridge, p. 490; Boston Record Commissioners' Reports, xxviii. 350. The office of Steward of the College was held by William Bordman, the emigrant, for several years ending in 1668; by his two sons, Andrew (1682–1687) and Aaron (1687–1703); by his grandson, Andrew (1703–1747); and by his great-grandson, Andrew (1747–1750). See Paige's History of Cambridge, pp. 490, 491.

[2] Quincy's History of Harvard University, i. 339.

[3] *Ibid.* i. 339, 340. [4] *Ibid.* i. 381. [5] *Ibid.* i. 382.

[6] Memorial History of Boston, ii. 423.

and quotes a passage from Eliot's Biographical Dictionary, whose author may perhaps, in this case, be suspected of some prejudice: —

"The general opinion, however, was that he was better fitted for the pastor of a church, than to be master of the school of the prophets" (p. 465).

Quincy characterizes him as —

"faithful to every trust, kind to all, calm, cautious, moderate, self-possessed, and affectionate, he left a name precious to his own, and appreciated highly by after times."[1]

Commencement Day in those times was quite unlike the day as we now know it. The state of the College was troubled and more or less disorderly, and the discipline slack. Quincy tells us that —

"Gross excesses, immoralities and disorders occurred about this period, . . . peculiarly annoying at Commencement season."[2]

The efforts to check these troubles were strenuous but not always effective. There was a vote of the Corporation and Overseers, 11 June, 1722 —

"prohibiting Commencers from 'preparing or providing either plumb cake, or roasted, boiled, or baked meats, or pies of any kind,' and from having in their chambers 'distilled liquors, or any composition made therewith.' . . . On Commencement day the President and Corporation were accustomed to visit the rooms of the Commencers, 'to see if the laws prohibiting certain meats and drinks were not violated.'"[3]

Then, there was a vote of both Boards, in April, 1727, that —

"Commencements for time to come be more private than has been usual; and, in order to this, that the time for them be not fixed to the first Wednesday in July, as formerly, but that the particular day should be determined upon from time to time by the Corporation."[4]

Later, on 12 June, 1727, it was ordered that —

"if any who now do, or hereafter shall, stand for their degrees, presume to do anything contrary to the act of 11th of June, 1722, or *go*

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[1] History of Harvard University, i. 404.

[2] *Ibid.* i. 386; and Wadsworth's Diary, pp. 45, 63.

[3] *Ibid.* i. 386.

[4] *Ibid.* i. 386.

about to evade it by plain cake, they shall not be admitted to their degree, and if any, after they have received their degree, shall presume to make any of the forbidden provisions, their names shall be left or rased out of the Catalogue of the graduates."[1]

The Lieutenant-Governor (Dummer) was requested —

"to direct the sheriff of Middlesex to prohibit the setting up of booths or tents on those public days." . . .

"In June, 1733, 'an interview took place between the Corporation and three Justices of the Peace in Cambridge, to concert measures to keep order at Commencements.'"[2]

Tutors, also, seem to have been guilty of insubordination and neglect of duty, at times, notably in 1731, as Wadsworth laments.[3] Quincy relates that —

"For several years during the administration of Wadsworth, by a vote of the Overseers the time of Commencement was concealed, only a short notice being given to the public of the day on which it was to be held. In the Diary of President Wadsworth it is stated, that Friday was fixed on, for the reason 'that there might be a less remaining time of the week spent in frolicking.'"[4]

This seems to have caused much complaint on the part of the multitude and the clergy alike, and Wednesday, the old day, was restored in 1736.[5]

At Commencement, then as now, the Governor came over from Boston, but through Roxbury, attended by his body-guard. There was the solemn procession of the Corporation, the Overseers, the Magistrates, the Ministers, and the invited guests, from Harvard Hall to the First Church. The exercises opened with prayer by the President, and there followed a Latin Salutatory, the Disputations upon the Theses, usually three in number, and on this programme, conspicuously designated, a Gratulatory Oration in Latin, and the conferring of the Bachelor's degree, a book being delivered to each candidate. Dinner intervened, before the Masters came on for their disputations and degrees, in order to fortify the

[1] Quincy's History of Harvard University, i. 387.
[2] *Ibid.* i. p. 387; and Wadsworth's Diary, p. 63.
[3] *Ibid.* i. pp. 387, 388; and Wadsworth's Diary, p. 63.
[4] *Ibid.* i. 396. [5] *Ibid.* i. 396.

inner man for the more strenuous intellectual requirements of the afternoon. Then came an address by the President, and a Latin Valedictory by one of the Masters, and the exercises closed with another prayer by the President. The procession was re-formed and filed back to the President's house.[1]

The whole list of Theses, and especially the subjects chosen for public disputation, might furnish a curious study into the prevailing intellectual tendencies of the times, the current questions of education, the lines of investigation and research, the conditions of scholarship and science, and the relations of the College to the world about it.

On that Commencement Day, in 1730, the five Fellows were: — Henry Flynt, who served from 1700 to 1760; Nathaniel Appleton, from 1717 to 1779; Edward Wigglesworth, from 1724 to 1765; Joseph Sewall, from 1728 to 1765; and Nathan Prince, from 1728 to 1742. The Board of Overseers had returned, in 1707, to its original constitution, as established by the General Court on the twenty-seventh of September, 1642: —

> "The Governo^r & Deputy for the time being, & all the ma^trats of this iurisdiction, together with the teaching eld^rs of the sixe next adioyning townes, that is, Cambridge, Watertowne, Charlestowne, Boston, Roxberry, & Dorchester, & the p̄sident of the colledge for the time being."[2]

Henry Flynt had been their Secretary since 1712 and he so continued till 1758. Edward Hutchinson was Treasurer, and Andrew Bordman, Steward.[3] There were but two Professors, — Edward Wigglesworth filling the chair of Divinity, — the professorship established by Thomas Hollis in 1721; and Isaac Greenwood in the Hollis professorship of Mathematics and Natural Philosophy

[1] The New-England Weekly Journal of Monday, 29 June, 1730 (No. 171, p. 2/1), contains the following paragraph: —

BOSTON.

Wednesday last the 24th Currant, was the Annual COMMENCEMENT at *Cambridge* for this Year, (it being the Fourth of the more private *Commencements*,) when the following Young Gentlemen, had their Degrees given them, after they had held their publick Disputations in the Church of that Town, viz. . . . .

[Then follow the names of the "Batchelors in Arts" and of the "Masters in Arts."]

[2] Massachusetts Colony Records, ii. 30.

[3] See *ante*, p. 273, *note*.

founded in 1727. The Tutors were but four in number, — Henry Flynt, who rounded out the unmatched term of fifty-five years, from 1699 to 1754, Nathan Prince, John Davenport and Stephen Sewall; while Judah Monis was well under way in his term of service as Instructor in Hebrew, which began in 1722 and ended in 1760.

To endeavor to bring back in imagination the audience whose eyes pored over the old programme and whose minds took in the inspiration which the exercises of the day gave, would be to recount nearly every leading name in this region, for Commencement was then a momentous occasion, and generally attended.

The course of study in College then compares rather curiously with the provisions of to-day: —

"The regular exercises are thus stated in an official report, made in 1726, by Tutors Flynt, Welsteed and Prince.

'1. While the students are Freshmen, they commonly recite the Grammars, and with them a recitation in Tully, Virgil, and the Greek Testament, on Mondays, Tuesdays, Wednesdays, and Thursdays, in the morning and forenoon; on Friday morning Dugard's or Farnaby's Rhetoric, and on Saturday morning the Greek Catechism; and, towards the latter end of the year, they dispute on Ramus's Definitions Mondays and Tuesdays in the forenoon.

2. The Sophomores recite Burgersdicius's Logic, and a manuscript called New Logic, in the mornings and forenoons; and towards the latter end of the year Heereboord's Meletemata, and dispute Mondays and Tuesdays in the forenoon, continuing also to recite the classic authors, with Logic and Natural Philosophy; on Saturday mornings they recite Wollebius's Divinity.

3. The Junior Sophisters recite Heereboord's Meletemata, Mr. Morton's Physics, More's Ethics, Geography, Metaphysics, in the mornings and forenoons; Wollebius on Saturday morning; and dispute Mondays and Tuesdays in the forenoons.

4. The Senior Sophisters, besides Arithmetic, recite Allsted's Geometry, Gassendus's Astronomy, in the morning; go over the Arts towards the latter end of the year, Ames's Medulla on Saturdays, and dispute once a week.'"[1]

All, also, except the Freshmen, were required to attend upon Judah Monis, in Hebrew, four days in the week, with minutely defined details of work. There was also an abundance of Scripture expositions by the President through the week. Attendance at morning and evening prayers and public worship on Sunday was

[1] Quincy's History of Harvard University, i. 441, — citing Wadsworth's Diary, p. 27.

required. Early in the administration of Wadsworth they were relieved from the "ancient and laudable practice," which required all undergraduates, beginning with the youngest, to read at Morning Prayers a verse out of the Old Testament from the Hebrew into Greek, except the Freshmen, who could use their English Bibles; and at Evening Prayers to read from the New Testament out of the English or Latin version, into Greek, whenever the President performed this service in the Hall, and the exercise was performed in the chambers of the tutors.[1]

One might well wonder how, on such an intellectual diet, such men as belonged to those days could have been turned out. Was it in the men themselves, in their surroundings, in the very training itself, that the source of their power was to be found; or is there a certain glamour over any remote past, which blinds the judgment of the present, when it measures its own contemporaries?

As one looks back at the little College of 1730, poor, hampered, cramped, and struggling, bearing its burden of responsibility, and contending with so many adverse influences, it seems incredible that it could develop into the University of to-day. It is idle to attempt to set out in any statement the contrast, — it would require the reproduction of the current Catalogue, in large part, with its bewildering lists and its multitudinous details; and even then there is that intangible something which eludes and defies expression, which is yet of the very essence of the difference. The advance, in the one hundred and seventy years that lie between, almost passes comprehension or adequate conception, and it may be safe to say that the progress in every direction within the last thirty years and under the administration of President Eliot, is greater than that of the whole century that followed the Commencement Day when this old paper first saw the light.

NOTE ON BOSTON LIGHT.

Early in the year 1713 the question of providing for a lighthouse was brought before the Legislature, and on the third of January of that year —

"Upon Reading a Petition of John George Merch^t for him ſelf & Aſsociates, Propoſing the Erecting of a Light House & Lanthorn on ſome Head Land at the Entrance of the Harbour of Boſton for the Direction of Ships & Veſsels in the Night Time bound into the ſaid Harbour;

[1] See Quincy's History of Harvard University, i. 439; and Neal's History of New England (1747), i. 203 *et seq.*

"*Ordered* that the Honble the Lieutenant Govern^{r} Eliakim Hutchinſon & Andrew Belcher Eſq. of the Council, John Clark, Addington Davenport, Major Thomas Fitch & Samuel Thaxter Eſq. named by the Repreſentatives be a Committee to confer with the Petitioner & his Aſsociates upon the Subject Matter of their Petition & to make Report to this Court at their next Seſsion" (Court Records, ix. 252).

The matter was also taken up by the town of Boston, and on the second of March it was by the Selectmen —

"Agreed to propose to ye Town their being concerned in ye Charge of a Light House, in ord^{r} to an income" (Boston Record Commissioners' Reports, xi. 179).

On the ninth of the same month, in town-meeting, it was —

"*Voted.* That the Consideration of what it is proper for the Town to do Ab^{t} a Light-Hous, be referred to the Select men and Committee afore appointed to Improve the fifteen hundred pounds, and to make report to ye Town of what they Shall think advisable threin" (*Ibid.* viii. 94).

On the twentieth of March, Tailer made his Report to the Legislature: —

"Upon Reading the Report of the Committee appointed by this Court at their Seſsion in January laſt to confer with Mr John George & his Aſsociates upon the Subject Matter of their Petition propoſing the Erecting of a Light House and Lanthorn on ſome Head Land at the Entrance of the Harbour of Boſton, W^{ch} Report is in the Words following; Viz,

"In Obedience to the aforegoing Order the Committee having mett, and received from Mr George his Propoſals relating to a Light Houſe as is afore-mentioned found it neceſsary to take a View of the Place moſt convenient for the Erecting thereof, And did therefore on the thirteenth of March Inſtant being attended by ſeveral of the moſt experienced Maſters of Ships belonging to Boſton & Charles town go down to the outermoſt Iſlands at the Entrance of Boſton Harbour, And after our Landing on ſeveral of the ſaid Iſlands and Surveying the ſame & Conferring with the ſaid Maſters thereon, who are unanimous in their Opinion, We report as followeth; Viz, That the Southermoſt Part of the Great Brewſter called Beacon Iſland is the moſt convenient Place for the Erecting a Light Houſe; Which will be of great Uſe not only for the Preſervation of the Lives & Eſtates of Perſons deſigning for the Harbour of Boſton & Charles-town but of any other Place within the Maſsachuſetts Bay; — A Method for Erecting ſuch a Light-Houſe & Supporting the ſame is contained in Mr Georges Propoſals herewith delivered in, All which is ſubjected to ſuch Amendments & Regulations as the Court in their Wiſdom ſhall judge neceſsary.

"(Sign'd) In Behalf of the Committee —

Wm TAILER.

"*Reſolved* by both Houſes that the Projection will be of general publick Benefit, & Service & is worthy to be encouraged; And,

"*Ordered* that the Committee of Members of both Houſes before appointed proceed to receive the Propoſals & offers of Perſons that will undertake to raiſe & maintain the ſaid Work And upon what Terms or Encouragement to be given by the Government in Laying a Duty of Tunnage upon Shipping, and report it: — J. DUDLEY" (Court Records, ix. 260, 261).

On the thirteenth of May, at a town-meeting, it was —

"*Voted.* That in Case the Gen^{ll} Court Shall See Cause to proceed, to the Establishment of a Light-House for the Accommodation of Vessells passing in and out of this Harbour, That then the Select-men or the Representitives of this Town be desired to move to the S^{d} Court, That the Town of Boston as a Town may have the prefference before any perticuler persons in beinging Concerned in the Charge of Erecting & maintaining the Same, and being Intituled to the Proffits and Incomes thereof" (Boston Record Commissioners' Reports, viii. 97).

On the second of June, Tailer again reported to the Legislature: —

"Report of the Committee appointed to receive Propoſals for the Raiſing of a Light Houſe, as follows; Viz,

"In Purſuance of the Order of this Court the twentieth of March paſt for Receiving Propoſals for the Raiſing & Maintaining a Light Houſe, the Committee gave publick Notice by Poſting up in Writing the Time & Place of their Meeting, And having met accordingly ſeveral Times did receive from the Select Men of Boſton & a Committee for their free Grammar Schools their Propoſals relating to the ſaid Light Houſe, And alſo the Deſire of the ſaid Town for their Preference before any particular Perſons; We alſo received a further Propoſal from Mr George, All which are herewith delivered in, and humbly ſubmitted:

"In Behalf of the Commtee Wm TAILER.
"May 27. 1713.

"Read & Voted that this Court proceed to the Conſideration of Raiſing a Light Houſe upon a moderate Toll, And that it be erected at the Charge of the Province, if this Court ſee meet, If not the Town of Boſton to have the Preference before any private Perſon or Company.

"Concurred by the Repreſentatives" (Court Records, ix. 279).

On the fifth of June a Committee was appointed "to Conſider & Report a moderate Duty for the Support of ye Light Houſe," and on the seventeenth the Committee made its Report (*Ibid.* ix. 287, 304).

Meanwhile, on the ninth of June, the Selectmen of Boston —

"*Voted.* That in case the Gen^ll Court do proceed to the Establishm^t of a Light House. The Gentle^m who represent this Town be desired after ye rules of duty for Light money is Stated, to move to the s^d Court that the Town of Boston (preferable to any Private persons) may have the Refusall of bearing the Charge in Erecting and maintaining the Same" (Boston Record Commissioners' Reports, xi. 186).

Again, on the fourth of August, the Selectmen —

"*Voted.* That Mr Willm Payn & Mr John Colman be desired to procure of Mr Secretary or Some other meet per^st, a Projection or draught of an Act Sutable to Lay before ye Gen^ll Court, Relating to the Town of Bostons being concerned in Erecting and maintyning a Light House agreeable to a Scheme thereof drawn up by a Comittee of the s^d Court" (*Ibid.* xi. 190).

And on the fifth of October, the Selectmen —

"*Voted.* That in order thereto they are of Oppinion that the matter relating to the Erecting a Light House be further pursued according to the projection of an Act now Layd before them, under such Emendatiõ as they have now agreed unto" (*Ibid.* xi. 194).

The scheme was now allowed to languish, and no further steps appear to have been taken on the part of Boston. But the matter was revived in the spring of 1715, and on the ninth of June in that year the General Court —

"*Ordered* That a Lighthouſe be erected at the Charge of this Province, at the Entrance of the Harbour of Boſton on the ſame Place & Rates propoſed in a Bill projected for the Town of Bostons Doing it, Accompanying this Vote" (Court Records, ix. 453).

On the fourteenth of June, a Committee consisting of William Tailer, Addington Davenport, William Payne, Samuel Thaxter, and Adam Winthrop,

was appointed "to build a Light Houſe;" on the twenty-second of July an "Act for Building & Maintaining a Light Houſe upon the Great Brewſter called Beacon Iſland at the Entrance of the Harbour of Boſton" was read twice; on the same day the sum of five hundred pounds was voted "for a preſent Supply towards Carrying on that Affair" (*Ibid.* ix. 459, 475, 476); and on the twenty-third an Act was passed, by which it was provided —

"That there be a light house erected at the charge of the province, on the southernmost part of the Great Brewster called Beacon Island, to be kept lighted from sunsetting to sun-rising" (Province Laws, ii. 7).

Application was then made by the Committee to the Proprietors of Hull for a grant of Beacon Island, with the following result: —

"At a legal meetting of the proprieters of the undiuided land in Township of Hull held one munday the first day of August: . . . Co^{ll} Samuel Thaxter applied himself to the s^{d} proprieters in the name of the Committee appointed by the great and ganarall corte in there Sessions In June 1715 for the bulding of a light house one Beacken Island so caled adioyning to the greate Brusters . . . the s^{d} proprieters being censable that it will be a ganarall benifit to Trade and that thay in perticuler shall rape a great benifite thereby haue at the s^{d} meeting by a Unanimus voate giuen and granted the s^{d} Beecan Island to the prouince of the Massatusetts Bay for the use of a light house for euer" (Hull Proprietory Records, quoted by Shurtleff in his Topographical and Historical Description of Boston, p. 569).

The Committee appointed by the General Court not having the requisite leisure, the oversight of the work was given, on the twentieth of December, 1715, to William Payne and Capt. Zachariah Tuthill, and the Order of the House, concurred in by the Council, was consented to by Lieutenant-Governor William Tailer, who had likewise been Chairman of the Committee on the part of the Council (Court Records, x. 41; and *cf.* x. 93, 101, 115, 127, 129, 130). Dr. Shurtleff gives the history of the Lighthouse, but somewhat incorrectly, and tells the story of the drowning of the first keeper of it, George Worthylake, 3 November, 1718 (gravestone at Copp's Hill), and of the ballad thereon, — "the Lighthouse Tragedy, which Franklin says he was induced by his brother to write, print and sell about the streets; and which he also says sold prodigiously, though it was 'wretched stuff'" (Topographical and Historical Description of Boston, pp. 560–574). A view of the Light is in the Massachusetts Magazine for February, 1789.

Mr. Noble also read extracts from some Notes on the Strangers' Courts, established by the Colony in 1639, for the quick trial by jury of causes between persons one or both of whom were strangers and who wished to depart the jurisdiction. The Courts were re-organized as late as 1660, and were recognized in the legislation of 1672 and 1682.

The text of this communication follows: —

A FEW NOTES TOUCHING STRANGERS' COURTS IN THE COLONY.

These were a part of the early judicial system established to meet an apparent need, and seem to have been instituted as an experiment. Their object is apparent, — to accommodate strangers visiting the Colony for trading or other purposes, and to provide a tribunal for the prompt and speedy settlement of differences between those who might suffer inconvenience or injury by being subjected to the delay ordinarily incident to the regular Courts.

The act establishing the new Courts is as follows: —

At the Generall Courte, houlden at Boston, the 22th of the 3th Mo, called May, 1639.

For the more speedy dispatch of all causes, wch shall concerne strangers, who cannot stay to attend the ordinary courts of justice, it is ordered, that the Governor, or Deputie, being assisted, wth any two of the magistrates, (whom hee may call to him to that end,) shall have power to heare & determine (by a jewrie of 12 men, or otherwise, as is vsed in other courtes) all causes wch shall arise betweene such strangers, or wherein any such stranger shalbee a partie, & all records of such pceedings shalbee transmitted to the Secretary, (except himselfe bee one of the said magistrates, who shall assist in hearing such causes,) to bee entered as tryalls in other courtes at the charge of the parties. This order to continue till the Generall Courte in the 7th Month, come twelue month, & no longer.[1]

It takes the form of an Order, and is, on its face, of limited duration. It provides for a jury. As afterward shown, the Court could be called at any time on request of such stranger. It had the same jurisdiction, and the same modes of procedure, as the County Courts. No right of appeal to any higher tribunal, as was generally allowed, appears to have been given; and, in fact, any such appeal would have been inconsistent with the purpose of such a Court, and would have frustrated its very object. The design was to give prompt and summary justice, and the parties had to rely on the fairness and discretion and sound sense of the authority they had invoked. Provision is made for permanent record. No subsequent legislation appears on the Records at the date, in 1640, which had been fixed for the expiration of the Order; but, as the law appears in the editions of 1660 and

[1] Massachusetts Colony Records, i. 264.

1672, its operation seems to have continued undisturbed and unquestioned, though later enactments appear to have removed some of the necessities for its use.

The original Act is embodied in the Laws of 1660 and of 1672. As there are some changes in the phraseology and provisions, and as this is the final codification, it may be well to give it as it there stands. Under the title of Courts, it reads: —

> 8. *For the more ſpeedy diſpatch of all Cauſes which ſhall concern Strangers, who cannot without prejudice ſtay to attend the ordinary Courts of Juſtice;* L. 1. p. 15.
>
> It is Ordered, That the Governour or Deputy Governour, with any two Magiſtrates, or when the Governour, Deputy Governour, cannot attend it, that any three Magiſtrates ſhall have power upon the requeſt of ſuch Strangers, to call a ſpecial Court to hear and determine all Cauſes civil and criminal (triable in any County Court according to the manner of proceeding in County Courts) which ſhall ariſe between ſuch Strangers, or wherein any ſuch Stranger ſhall be party. And all Records of ſuch proceedings, ſhall be tranſmitted to the Records of the Court of Aſſiſtants, to be entred as trials in other Courts (which ſhall be at the charge of the party caſt or condemned in the caſe. [*1639.*] Special Courts for Strangers. Records of ſpecial Courts to be tranſmitted to the Court of Aſſiſtants.
>
> It is further Ordered that it ſhall be lawful for any Stranger, upon legal Summons, to enter any Action in any Court of this Juriſdiction, againſt any perſon not reſiding or Inhabitant amongſt us.[1] L. 2. P. 15. Strangers' liberty to ſue at any Court.

The extension of opportunity granted by the last paragraph of the law as it there stands, and the reasons for such extension, are to be found in the Act of 1650, which permitted Strangers to sue one another in any of the Courts, and which, without abrogating the old law, made less occasion for its use: —

Att another Session of the Generall Court of Elections, held at Boston, the 18th of June, 1650.

Whereas oftentimes it comes to passe that stranngers coming amongst vs have suddajne occasions to trye actions of seuerall natures in our

[1] Massachusetts Colony Laws (edition of 1672), pp. 37, 38.

Courts of justice, and in respect it is very chardgeable to the partjes, and troublesome to the countrje to call speciall Courts for the determinacõn of such cases, itt is ordered by this Court and authoritje thereof, that from henceforth it shallbe in the liberty of any stranngers, vpon legal sumons, to enter any action against any person or persoñ, not residing or inhabiting amongst vs, in any Court w^th^in this jurisdiccõn.[1]

The Act of 1672 condenses former legislation in some respects and does away with Special Courts: —

Att the second Sessions of the Generall Court of Elections, held at Boston, 8th of October, 1672, on their Adjournment.

ITT is ordered, & by the authority of this Court enacted, that all strangers coming into this country shall & may henceforth haue liberty to sue one another in any Courts of this Colony that haue propper cognizance of such cases, and that any inhabitant may be sued by any strangers who are on imediate imploy by nauigation, marriner, or merchant in any of our Courts, the sajd Strangers giving security to the clerke of the writts, to respond all extraordinary damages the sajd inhabitants shall sustejne by being sued out of the county to which he belongs, in case the strainger shall not obtejne judgment against such inhabitant so sued; and the law, title Special Courts, is hereby repealled, & made voyd, any law, custome or vsage to the contrary notw^th^standing.[2]

The same appears in —

Several Laws and Orders made at the GENERAL COURT. *the 8th. of October* 1672 . . . *printed by their Order. Edward Rawſon Secr.*,[3]

varying somewhat in capitals, spelling and punctuation.

An Act in 1682 provided for the giving of security in certain cases: —

At a Gennerall Court, held at Boston, 11th October, 1682.

As an addition to the law, title Attachments, it is ordered by this Court & the authority thereof, that after the publication hereof, no strainger shall haue any process or attachments granted against a strainger, before the plaintiff give in sufficjent caution or security to respond all costs & damages that shall be judged against him; nor shall

[1] Massachusetts Colony Records, iv. (Part I.) p. 20. *Cf. Ibid.* iii. 202.

[2] *Ibid.* iv. (Part II.) p. 532.

[3] Massachusetts Colony Laws (edition of 1672), p. 207.

any ship or other vessell arriving from forreign parts, or the master or comander thereof, be arrested or restrayned w^th^out like sufficient caution or security given by the plaintiff to respond all costs & damages as aforesajd.[1]

The same is likewise found in —

SEVERAL LAVVS Made at the ſecond SESSION of the GENERAL COURT *Held at Boſton, October* 11. 1682. And Printed by their Order,

Edward Rawſon Secr'[2]

These provisions as to actions by Strangers in the Common Law Courts seem to have continued until the abrogation of the old Charter, and not to have been afterward specifically revived.

There seems also to have been a *quasi* Probate Court for the benefit of strangers.

Under the title Wills, this provision appears in the Laws: —

2. *And becauſe many Merchants, Seamen and other Strangers, reſorting hither oftentimes, Dying and leaving their Eſtates undiſpoſed of, and very difficult to be preſerved in the interim from one County Court to another*: *A.52.P.15.*

It is therefore Ordered, that it ſhall and may be Lawfull for any two Magiſtrates with the Recorder or Clerk of the County Court, Meeting together, to allow of any Will of any decaſed party, to the Executors or other perſons in the VVill mentioned, ſo as the VVill be teſtified on the Oath of two or more *VVitneſſes*, and alſo to Graunt Adminiſtration to the Eſtate of any perſon dying inteſtate within the ſaid County, to the next of Kin, or to ſuch as ſhall be able to ſecure the ſame for the next of Kin, and the Recorder or Clerk of the Court, ſhall enforme the reſt of the Magiſtrates of the County, at the next County Court, of ſuch VVill proved or Adminiſtration Graunted, and ſhall Record the ſame.[3] [*1652.*]

Two Magiſtrates to take probate of Wills

To graunt Adminiſtration

[1] Massachusetts Colony Records, v. 372.

[2] Massachusetts Colony Laws (edition of 1672, supplement), p. 294.

[3] *Ibid*, p. 158. The Act was passed by the General Court at its session held at Boston, 19 October, 1652 (Massachusetts Colony Records, iv., Part I., pp. 101, 102).

No papers relating to the Strangers' Courts have come down to us in the Suffolk Court Files, so far as arranged, and the sole extant volume of the Records of the Court of Assistants, 1673–1692, is too late to warrant the expectation of any reference to them. There is one record there, however, of the case of a stranger, in 1681, who, having been brought into one of the inferior tribunals, a Commissioner's Court, and being worsted there, had appealed to the Court of Assistants, — a record which shows an indulgence granted to him, as such stranger, by advancing the hearing of his appeal.[1] This record also presents one of the curious questions which occasionally arose as to the sufficiency of certain species of evidence, especially in criminal cases, — questions not unfrequently puzzling in themselves, and vitally affecting the final judgment of the Court and the final result to the party concerned.

In pursuance of a vote passed at the Annual Meeting, the Chair appointed the PRESIDENT and Messrs. AUGUSTUS LOWELL and ARTHUR T. LYMAN a committee to represent the Society in connection with the Annual Meeting of the American Historical Association to be held in Boston and Cambridge the last week in this month.

[1] 1681

In Answer to the petition of mr Henry Jenkins humbly desiring the favor of this Court that his Appeale from ye Commissioner's Court for wch he hath entred into security for the next Court of Assistants being a strainger & ready to Goe out of ye Country may be heard at this Court This peticon was Granted & fryday next Appointed for the hearing of the Case he presently giving in his reasons of Appeale to ye Commissionrs or their clarke: ye sajd mr Henry Jenkins desired a Jury & entring his Appeale after his peticon the Commissioner's Judgment Reason of Appeale & other euidences in the Case were read Comitted to the Jury & are on file the Jury brought in a speciall virdict viz In ye Case of mr Henry Jenkins wee find him Guilty of saying that he was as Good a man as mr stoddard & saying to the Constable A pox take your tricks = And if the Constables affirmation on the oath of a Constable be a legall euidenc to convict a man in such a Case then wee find the sajd mr Jenkins Guilty of saying that the Barber was wayting vpon a better man then the Commissioner's & saying to the Constable A pox take yow otherwise not guilty = The Court on Consideration of this virdict Judg meet to Confirme the Judgment of the Comissioner's (Records of the Court of Assistants, 1673–1692, original p. 140).

Mr Jenkins Case

Commissioners Judgt Confirmd =

The Reverend Dr. CHARLES CARROLL EVERETT communicated a Memoir of Dr. Joseph Henry Allen which he had been requested to prepare for the Transactions.

The Honorable JOHN CHANDLER BANCROFT DAVIS, LL.D., of Washington, D.C., and ARTHUR TWINING HADLEY, LL.D., of New Haven, Connecticut, were elected Corresponding Members.

A.W. Elson & Co., Boston

Jos. H. Allen

Engraved for The Colonial Society of Massachusetts from a portrait from life.

UNIV. OF MICH.

MEMOIR

OF THE

REV. JOSEPH HENRY ALLEN, D.D.

BY

CHARLES CARROLL EVERETT.

JOSEPH HENRY ALLEN was born in Northborough, Massachusetts, 21 August, 1820. His father was the Reverend Joseph Allen, D.D. The maiden name of his mother was Lucy Clark Ware, and she was the daughter of the elder Henry Ware. In both lines of descent he was of good old New England stock. By a singular coincidence it was at very nearly the same date that the two families which were to be united by him made their permanent settlement in this country. The Welds did this in 1636, and the Allens only three years later, in 1639. Few could have better claim than he to represent the Brahmin caste of New England, of which Dr. Holmes used to speak. His father was both minister and teacher, as was also one of his younger brothers, the other two being teachers; one uncle on his father's side and four cousins were teachers; and seven ancestors upon his mother's side were ministers. The name of his grandfather, Henry Ware, suggests not merely the thought of the ministerial profession, but of this profession in its saintliest and most influential aspect. "He was the progenitor of that admirable race upon which — as Dr. Holmes said to Professor Stowe — the fall of Adam had not left the slightest visible impression." [1] In few, if any, of his descendants was this racial immunity more marked than in the subject of this sketch.

In his infancy, it seemed as if Dr. Allen's rich spiritual inheritance was to be counterbalanced by a feeble constitution. He was

[1] Cheerful Yesterdays, by Thomas Wentworth Higginson, 1898, p. 139.

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a puny infant, and one leg was so drawn up that it was feared that he would never be able to walk. He was carried from Northborough to Boston by an aunt, on a pillow, that he might have the advantage of the surgical skill of Dr. James Jackson. He had also a weakness of the eyes, that was overcome only by the greatest care. It is interesting to recall this unpromising beginning in connection with the long walks in which he took such delight all his life, and his splendid service as a scholar. Indeed these walks, together with a simple and natural way of living in other respects, preserved him through life in a general condition of good health, though he could never be called robust. One circumstance which must have contributed to this happy result was the fact that his father was farmer as well as minister and teacher. His boys were taught to help him in this occupation. Their mother taught them, in common with their sisters, sewing, knitting, and housekeeping. Thus our young Brahmin had a busy boyhood, that did much to correct the one-sidedness of his caste. He acquired by these active employments, not only health, but a lifelong interest in mechanical arts.

Of course he must go to college. The chief, if not the only, help that his father could offer him toward this end, was the gift of his time and a little teaching. He mainly fitted himself for college, and certainly he had a good teacher. His life in Cambridge while he was a student was well adapted to develop the Brahmin side of his nature, which the various occupations of his boyhood may have partially repressed. He had a room in the house of Henry Ware, junior, and his meals in that of his grandfather, Henry Ware, senior. These arrangements not only brought him under the best influences, but relieved him very largely of the expenses incident to a college life. The expenses that remained he met chiefly by teaching. The long winter vacation was designed to enable students to do this. He taught in Walpole, New Hampshire, and, possibly, in Bellows Falls, Vermont. He graduated from college in 1840 at the age of twenty, his rank entitling him to the honors of the Φ. B. K. He at once entered the Harvard Divinity School, from which he graduated in 1843. For a large part of the time that he was in the School, he and his friend and fellow-student, Hiram Withington, cooked their own meals. He did not need for his part in this to make much demand upon the training that he

had received in housekeeping, for, with the exception of an occasional hamper from home, the young men lived mostly on corn-meal mush and milk. By this economy he was able to indulge his taste for music; and he spent more money on concerts than on food. Indeed, music was always a great delight to him. Often during his later life at Cambridge, he would walk to Boston to attend a concert or oratorio. He played the flute, and this was one of his favorite forms of relaxation. From his youth up, idleness was an abomination to him. If there was nothing else to do there were always books to be read. During his college life he read all of Scott's novels and those of Miss Edgeworth while waiting for his meals when he was a little early in arriving, or when they were a little late.

In the autumn after his graduation from the School, he was settled over a church in what is now Jamaica Plain (Boston), where he remained four years. In 1847, he left this place and was settled in Washington, D. C. After three years, he accepted a call to become the minister of the Independent Congregational Society of Bangor, Maine. The life at Bangor was by far the most interesting and important part of his career as a minister. It included very much that was extremely pleasant, and some experiences that were very painful. It is not worth while to go back and discuss at length the causes that led to discontent with Mr. Allen's ministry on the part of some of his parishioners. Prominent among the elements that caused dissension were his bold utterances in regard to Slavery. It was, indeed, a difficult time for a minister who had strong convictions in regard to this matter. There were few churches in the country in which were not found those who were stirred to fierce opposition if such convictions were earnestly uttered from the pulpit. There were other elements of dissatisfaction, but these need not detain us here. On the other hand, no minister could have more loving and loyal friends than those who gathered about Mr. Allen in these troublous times.

In 1857, he renewed the resignation of his pastorate, which had once before been offered and refused. This time it was accepted. The Society was, however, left in a state of almost hopeless division. This was the result of no word or deed of his. No similar discourse could be sweeter or nobler than that in which he

took leave of the people that he loved. In addition to this personal regard, he left behind him a reputation for scholarship of which his former parishioners were very proud. A story had currency there of a minister of another denomination who finally got so tired of finding Allen always ahead of him in every scholarly topic which came up in their conversation that he made up his mind to get the start of him for once. He saw a notice of a new book published in Germany. He ordered it post-haste, and, when it came, devoted every spare moment to the reading of it. Finally he rushed over to Allen to display his treasure. As soon, however, as he named his book Allen exclaimed in his quick way, "Have n't you seen the review of that?" His new acquaintance was, with Allen, an old story.

After leaving Bangor, Mr. Allen had two or three pastorates, each lasting one or two years. He preached often in the way of regular supply or as a labor of love, but he had no other engagement of equal length.

In 1867, he made what proved to be his permanent home in Cambridge. His residence in Cambridge must have been, in some respects, the most interesting period of his life. By degrees he took, in the estimation of the world and especially of his brother ministers, the place that really belonged to him. He loved to attend ministerial gatherings, and at them he was always listened to with special interest. The clear and luminous style which marked his more carefully prepared published articles showed him to be one of the best writers and thinkers of the Unitarian denomination.

When, in 1878, his friend Dr. Frederic H. Hedge resigned the position of non-resident professor of Church History in the Harvard Divinity School, he suggested the name of Mr. Allen as one fitted to carry on the instruction in that branch of study. He drew up a paper in which it was said that if Mr. Allen were younger he would be a candidate for a permanent Professorship, but that under the circumstances it was recommended that he be appointed Lecturer in Church History until a Professor should be selected. This paper was signed, or its recommendation otherwise endorsed, by all members of the Faculty, and sent to the President and Fellows of Harvard College. Mr. Allen was at once appointed to the proposed Lectureship, with the understand-

ing that the appointment was a temporary one. In spite of his many qualifications for the place, it was thought best for the School that the position should be permanently filled; and a search at once began for the proper person. It was not till 1882 that the person was found. Mr. Allen's connection with the School lasted thus four years. Probably no occupation of his life was more congenial to him than this, in which his taste for teaching and his interest in theology and in history were both gratified.

Dr. Allen's life was at all times a very busy one, and the occupations to which he gave himself must have been for the most part very interesting to him. He was a devoted student of the classics, and, in connection with Professor Greenough of Harvard College, he prepared a series of Latin text-books that are widely used. He was for a number of years the editor of the Christian Examiner, and later of the Unitarian Review. He was fond of authorship, and began early to publish books. His first book — Ten Discourses on Orthodoxy — was published while he was still in Washington, in 1849. This was followed by Hebrew Men and Times, in 1861; Fragments of Christian History, in 1880; Our Liberal Movement in Theology, in 1882; a sequel to this, in 1887; Christian History in its Three Great Periods, in three volumes, in 1883; and Positive Religion, in 1891. In 1896, he revised the English translation of Renan's Life of Jesus, and the next year, translated his Antichrist. The revision he found more work than a translation would have been; but the labor was sometimes brightened by the ludicrous mistakes that he found, — as when *le dernier soupir* was translated, "the last supper," and *la pécheresse*, "the fisherwoman." His minor writings are extremely numerous.

From the titles of his books, as given above, it will be seen that Dr. Allen's interest was largely in the direction of History. He had little interest in Philosophy, and I doubt if he had much respect for it. He had, however, a profound spiritual insight that fitted him to be an interpreter of the great historical movements that were the objects of his study. So far as his books are concerned, I understand that his Christian History in its Three Great Periods especially had a wide circulation. Indeed, by its grouping of facts and by its clear and wise interpretation of the principles that manifested themselves in the movements which it described,

this work was fitted to afford such help as could not easily be found elsewhere. His latest literary work was the translation of Renan's Apostles. This was finished only a few days before he was seized by the brief illness that ended with his death. He died on the twentieth of March, 1898. A Memorial Meeting was held in Channing Hall, Boston, on Monday, the eleventh of April, at which the Rev. John W. Chadwick and the Rev. Edward H. Hall delivered addresses containing a highly appreciative estimate of Dr. Allen's work and of his scholarly attainments.[1]

I wish that it were as easy to paint the character and personality of our departed associate as it is to describe the facts of his outer history. I am inclined to place sincerity among his most marked intellectual characteristics. More than most men, he seemed to face life just as it is, or just as he had reason to think that it is. So far as the higher themes of thought are concerned, this trait is well illustrated by certain chapters in his Positive Religion. It was seen also in relation to the facts of practical life. With this sincerity went, as its result, an unusual transparency of character and mood. He united, in a singular degree, modesty with a very clear recognition of his own worth. He made no demand upon the recognition of others, yet such recognition was obviously extremely grateful to him. He was, I think, singularly unselfish, so much so that, at times, he might seem almost impersonal. Yet, at any call for service, he showed boldness and an untiring energy. Something of this impersonality was seen in his relation to matters of thought. One could hardly be less of a partisan than he. In his conversation and more public speech it seemed sometimes as though it was less he that spoke than it was the thought that spoke through him. What he said seemed more like a monologue than a direct address. Naturally his speech sometimes lost effectiveness from this course, although no one could marshal thoughts and words to better effect than he, when he took the command of them. Thus he lived, — accepting no shams and offering no shams to the world; eager to do the work for which he felt himself most fitted, but if that which seemed the best did not offer, taking cheerfully the next best, and doing this in a way that made it appear to be the best.

[1] The Christian Register of 21 April, 1898, lxxvii. 429.

Dr. Allen was happy in his friendships. To name only one or two of these, — his long and close intimacy with Dr. Hedge was one of the great satisfactions of his life. The friendship of Dr. James Martineau, though from the nature of the case less close, was also a delight.[1] He was also fortunate in his family life. On the twenty-second of May, 1845, he married Anna Minot Weld, of Jamaica Plain. Three daughters and three sons were born to him, of whom all except one daughter, together with their mother, survive him.

In an admirable paper[2] to which I have already been a debtor in this notice, Mr. Chadwick thus describes the personal appearance of Dr. Allen: —

"There was something beautiful in his personal appearance; his complexion so fresh and clear, telling a tale of perfect temperance; in his face a breezy look, the snowy hair blown back from the full brow —

"'As if the man had fixed his face
In many a solitary place
Against the wind and sky.'"

Dr. Allen was an active Member of this Society almost from its beginning, having a place upon the Committee of Publication. A few months before his death, he proposed to resign from the Society for the reason that he could no longer perform his duties in it, and he did not wish to be, as he said, a "dummy member." At the earnest request of the Council, he withdrew this resignation. In thanking him for this submission to its wishes, the Council added an expression of the profound satisfaction it felt —

"in being able to retain upon the Roll of the Society the name of an Associate who has already contributed much to its success, whose fellowship has been a source of pride, whose presence is a benediction, and whose services, to whatever extent and in whatever direction he may be able and willing to render them in the future, will be of inestimable value to the society."

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[1] A file of very interesting letters from Dr. Martineau to Dr. Allen remains to show how close this friendship was. These letters were communicated by our associate Mr. Henry H. Edes to the Society at its Stated Meeting in March, 1900, and will appear with the published Transactions of that meeting.

[2] Joseph Henry Allen in The New World for June, 1898, vii. 300.

About the same time Dr. Allen resigned, for similar reasons, from the Examiner Club, of which he and Dr. Hedge were the founders. The Club made him an Honorary Member, — a title which was created for the occasion, — and expressed the wish that he would join in its gatherings as often as possible.

In 1879, he received the honorary degree of Master of Arts from Harvard College, and in 1891, that of Doctor of Divinity.

JANUARY MEETING, 1900.

A Stated Meeting of the Society was held at No. 25 Beacon Street, Boston, on Wednesday, 17 January, 1900, at three o'clock in the afternoon, the PRESIDENT in the Chair.

The Records of the last Stated Meeting were read and approved.

The CORRESPONDING SECRETARY reported that the following letters had been received from President HADLEY and Judge BANCROFT DAVIS: —

PRESIDENT'S OFFICE,
YALE UNIVERSITY, NEW HAVEN, CONN.

December 22, 1899.

MY DEAR SIR: — I have the honor to acknowledge the receipt of your communication of the 20th and take great pleasure in accepting.

Sincerely yours,

ARTHUR T. HADLEY.

JOHN NOBLE, ESQ.,
Corresponding Secretary.

1621 H STREET, WASHINGTON.

December 23, 1899.

DEAR SIR: — I have received your letter of the 20th, informing me of my election to the position of Corresponding Member of The Colonial Society of Massachusetts.

In accepting the position to which I have been thus elected, will you kindly return my thanks for the great honor which has been done me.

Yours Respectfully,

J. C. BANCROFT DAVIS.

JOHN NOBLE, ESQ.,
Corresponding Sec'y &c.

Mr. WORTHINGTON C. FORD communicated and read the following letters[1] from Governor Shirley and William Bollan to the Lords of Trade, calling the attention of the Home government to the wide-spread disregard of the Navigation Laws, and the extent to which smuggling and illicit trade with the Dutch were carried on: —

GOVERNOR SHIRLEY TO THE LORDS OF TRADE.

BOSTON N ENGLAND Febry 26th 1742/3

MY LORDS

The seventh of the Quaeries lately Sent by your Lordsps, to be answered, is this vizt.

What Methods are Used in the Province under your Governm^t. to prevent Illegal Trade; and are ye same Effectual?

I have Singled out this Quaere to Answer in the first place, because the illicit Trade which appears to have been Carried on in this province and some of the Neighbouring Colonys (within this last year more Especially) is such, as without the Speedy Interposition of the Parliam^t to Stop it, Must be highly destructive of the Interests of Great Britain, by lessening the Vent of her Woollen and other Manufactures, & Commodities in her own Plantations, making her cease to be a Staple of the European Commodities for Supplying them, letting Foreigners into the profits of the plantation Trade, and finally weakening the Dependance; which the British Northern Colony's ought to have upon their Mother Country.

That the main Benefits and Advantages arising to Great Britain from her plantations, wch. I have above enumerated, and which have constantly employed the attention of the British parliam^t. to Secure to her by keeping particularly the European Trade to and from her plantations to herself (as has been the Usage of other Nations with regard to their plantations,) are in very imminent Danger of being lost, to her by the Frauds and Abuses lately practis'd here in that Trade, I think will appear to your Lordships upon your perusal of the inclosed Acc^t. of them given by the Advocate Genl. pursuant to my Orders, and which he has Chose to Cast into the form of a Letter to your Lordships.

I am Sensible that the Advocates letter is very long, but I hope its length may be excused by your Lordships on Acc^t. of the Importance

[1] These documents were recently bought in London by the Trustees of The Public Library of the City of Boston.

of it's Subject, and the Necessity there is of laying before your Lordships a full and particular Acco^t. of the Mischiefs represented in it, with their Causes and proper Remedies, as they Appear to persons upon the Spot, who have had the Conduct of prosecutions for Breaches of the Acts of Trade in this & the Neighbouring Colonies for Sev^l. years, and form their Judgem^t. upon a long Experience of the Effect of those Acts, as they have been Construed by the provincial Courts of Law and evaded by Illicit Traders.

I shall only Add to the enclosed Letter, that Untill all Breaches of the Acts of Trade, which Extend to the Plantations, or at least those of the 15th Cha: 2^d Chap. 7th are made tryable in the Courts of Vice Admiralty here, (without which it is in vain to hope that the Illicit Trade complained of can be Suppressed) it may be expected that it will be Carried on in New England, and perhaps grow, if not timely prevented, to So Strong an head as that it will be no easy Matter wholly to Subdue it.

The prosecution of the Importers of the Goods brought in the Brigantine Hannah (mentioned in the Advocates Letter) from Rotterdam into this Por^t for the Value of the Goods imported in her would doubtless Discourage the Illicit Traders to a very great Degree, and must deterr 'em exceedingly by Showing 'em their Insecurity even after they have Safely landed their Goods; and I am of Opinion it can't fail of having a great Tendency to break up the Trade — But as I think it more proper that the Comm^rs. of y^e, Customs sho^d. be troubled with the Care of procuring this Evidence from Rotterdam for the prosecution of this Affair than your Lordships, I have directed him to recommend it to them to take that trouble upon themselves; and if your Lordships should be of Opinion that this prosecution wo^d. be for the Service of the Crown, your Signifying that to the Commiss^rs. of the Customs must Effectually procure the desired Evidence, and the Action upon the Rec^t. of it, shall be forthwith brought here & prosecuted to Effect.

I am, &c^a

My Lords &c^a

W: SHIRLEY

[*Endorsement.*]

Letter from M^r. Shirley Govr. of the Massachusetts Bay to the Board Dated 26 Feby. 1742/3 being a particular answer to the 7th. of the Boards Quaeres lately Sent to him relating to the Methods Used in that Province to prevent Illegal Trade and the Effect of them.

WILLIAM BOLLAN TO THE LORDS OF TRADE.

BOSTON N. ENGLAND Febry 26th 1742.

MY LORDS.

Mr. Shirley the Govr. & Vice Admiral of this province soon after his being made such, was pleased to Appoint me the Kings Advocate, and according to the practice here, it is the Duty of the person filling that place to prosecute all offenders against the Acts of Trade, The Discharge of which Trust has been lately attended with such Discoveries, and is at present Accompanied with So may Difficulties, that after Communicating them to his Excelleney, he gave me Orders to make them particularly known to your Lordships, and indeed I conceive 'em to be of such Nature & Consequence that, had I not received his Commands to that End, I sho^d. have thought myself Obliged in Faithfulness to the Crown to lay them before your Lordships: after mentioning which I shall make no further Apology for giving your Lordsps this trouble; but proceed to inform you that there has lately been Carried on here a large Illicit Trade, (Distructive to the Interest of Great Britain in her Trade to her own Plantations, and Contrary to the main intent of all her Laws made to regulate that Trade) by importing into this province large Quantities of European Goods of Almost all Sorts from diverse parts of Europe, Some of which are by the Laws wholly prohibited to be imported into the Plantations, and ye rest are prohibited to be imported there, Unless bro^t. directly from Great Britain: To Shew forth to your Lordships, the Rise, progress & Extent of this Pernicious practice would I fear far exceed the proper Compass of a Letter from me to your Lordships, and therefore I shall Content myself with Saying 1st. that a Considerable Number of Ships have Contrary to the 15th Chas. 2^d. Chap: 7th lately come into this Country directly from Holland, laden some wholly, some in part, with Reels of Yarn or Spun Hemp, paper, Gunpowder, Iron and Goods of Various Sorts Used for Men & Womens Cloathing; 2dly. that Some Vessells have also come directly from other foreign parts of Europe with like Cargoes, 3dly. that Some of those Vessells were laden Chiefly & others in part with the Goods of the produce and Manufacture of old Spain prohibited under large penalty'es to be imported into Great Britain during the present War: 4^thly. That to Carry on this Sort of Trade diverse Vessells have been fitted out here laden with provisions, and tho' they appear wholly English in the Plantations, Yet by means of their being Commanded and Navigated by French Refugees Naturalized, or such persons as may easily pass for French Men and by the help of French papers and passes procured by French Merch^ts. Concerned in the matter,

they have Carried the English Provisions to their open Enemies, and landed them out of those Vessells in the Ports of Spain: 5thly. That a Considerable part of the Illicit Trade from Holland is Carried on by Factors here for the Sake of their Commissions, Dutch Merchts. having the property in the Goods Imported. 6th. That one of these Illicit Traders lately departed hence for Holland proposed to one of the greatest Sellers of Broad Cloths here (and to how many others I can't say) to Supply him with Black Cloths from thence, Saying that this Country might be better and Cheaper Supply'd with Broad Cloths of that Colour from Holland than from England; But to prevent or rather increase your Lordship's Surprize on this Head I need only to Acquaint you that I write this Clad in a Superfine French Cloth, which I bought on purpose that I might wear about the Evidence of these Illegal Traders having Already begun to destroy the Vital parts of the British Commerce; and to Use as a Memento to Myself and the Customhouse Officers to do everything in our power towards Cutting off this Trade So very pernicious to the British Nation. 7thly. That the persons concerned in this Trade are many, Some of them of the greatest Fortunes in this Country, and who have made great Gains by it, and having all felt the Sweets of it, they begin to Espouse and Justify it, Some openly some Covertly, and having perswaded themselves that their Trade ought not to be bound by the Laws of Great Britain, they labour, and not without Success to poison the Minds of all the Inhabitants of the Province, and Matters are brought to such a pass that it is Sufficient to recommend any Trade to their General Approbation and Favour that it is Unlawfull; and as Examples of this kind soon Spread their Influence on the other plantations around, tis too plain almost to need mentioning that if Care be not Soon taken to Cure this growing Mischief, the British Trade to these Plantations and their proper Dependence on their Mother Country will in a great measure 'ere long be lost: I shall now recount to your Lordships the Difficulties which attend the Suppression of this Mischief; The First and one of the Principal whereof is that the Breaches of the Statute of the 15th Cha: 2d Chap: 7th Entitled an Act for the Encouragemt. of Trade & made purposely to keep the Plantations in a firm Dependence upon England, and to render them Advantagious to it in the Vent of English Woollen and other Commodities, and which provides that all European Goods and Manufactures imported into the Plantations Shall be Shipp^d in England, are not Cognizable in the Court of Admiralty, and a prosecution in the Common Law Courts here will be Unavoidably attended with great delay and too many Difficulties and Discouragements to be generally overcome, for in the First place by the Course of Judicial proceedings Establish'd

in this province there will be a Necessity for the prosecutor to pass thro' various Tryals,(and frequently in distant Counties) in Courts disinclined to the prosecution, and with Scarce any hopes of Success; For in the next place the prosecutor cannot there have process to Compell an Appearance of Unwilling Witnesses, (And all Witnesses for the Crown in Cases of this Nature are generally such) and Finally a Tryall by Jury here is only trying one Illicite Trader by his Fellows, or at least his well wishers; How it happen'd that the Offences Ag^{t} this Statute which is the main Ligament whereby the Plantation Trade is fastned and Secured to Great Britain, sho^{d} not be Cognizable in the Court of Admiralty: when the Cognizance of other Acts of Trade of much less Consequence to the Nation are given to that Court from the Common Consideration of the Interest, or desire that the Juries have here to defeat all Seizures & prosecutions for the Crown, I cannot say but ye Inconveniences that at present proceed from the Court of Admiralty's want of Jurisdiction over Offences against that Statute, are certainly very great: another Difficulty that attends the Suppressing this Illegal Trade Arises from the Nature and Situation of the Country, which abounds with Out Ports, where Vessells Employed in this Trade unlade their Cargoes into Small Vessells, wherein they afterwards Carry their prohibited Goods with Ease into some proper places of Safety; and a further Difficulty grows out of the Corruption of those who are Employed to Carry on this Trade, which is become so great that we have had some late Instances of Oaths taken at the Custom-house by Masters of Vessells in direct Contradiction to their certain knowledge of the Truth, and to this crime these Illicite Traders have lately added this Contrivance, Viz^{t}, To Conceal or Spirit away the Seamen who might otherwise be Witnesses and by their Testimony possibly cause a Condemnation of some of the Vessells Employ'd this Way; and thus when Vast Quantities of Goods are Illegally Imported here, after they are Unladen and Secured the Master appears boldly, and is ready to Swear any thing for the Good of the Voyage, and the Sailors are dispersed and gone, and there is nothing to be found, but an Empty Vessell, Ag^{t} which no proof can be obtained — Having thus laid before your Lordships the principal Dificulty's that attend the Carrying the Acts of Trade into Execution here it may perhaps be Expected that I sho^{d} propose some Remedies which appear to us, who are upon the Spot and there Observe the Working of these things, to be most likely to Effect the Cure of these Mischiefs; Wherefore I shall now proceed to mention 'em for the Consideration of your Lordships.

The first thing that Seems Necessary to be done and that by Parliament is to Grant to the Court of Admiralty Cognizance of all past and

future Offences Ag^t the above mentioned Statute 15th Cha. 2^d, or (which would be much better) to provide by Act of Parliam^t, that all Offences whatever past and future against the Acts of Trade committed in the Plantations & the penalties and Forfeitures arising therefrom may be prosecuted for and recovered in any Court of Admiralty in the plantations; there is really a greater Want of a certain and general Jurisdiction in the Courts of Admiralty in the Plantations over Breaches of the Acts of Trade there, than at first may be immagined; For among other things the Statute made in the 7th & 8th of W^m. the 3^d for *preventing Frauds and regulating Abuses in the Plantation Trade* is So Obscurely penn'd in the point of the Admiralty's Jurisdiction, that it has received different Constructions, and that Court has been frequently prohibited in this Province to take Cognizance of some of the Main Offences against that Statute, and of late I hear that like prohibitions have been granted in the province of New York, tho' the Intent of the Parliam^t that made that Statute (as I think) doubtless was to give that Admiralty Jurisdiction of all Offences against it: — The granting to the Admiralty a general Jurisdiction over all Breaches of the Laws of Trade will, without question, be of Advantage to the Crown and Kingdom & Save much Trouble to the Officers prosecuting Illicit Traders, and indeed no Reason can be assigned for giving the Admiralty Cognizance of Offences ag^t some of the Acts of Trade, but what holds equally good for giving the like Jurisdiction over the rest; But let what will be done with respect to granting the Admiralty Courts in the Plantations Such general Jurisdiction, I think it is very plain that to Suffer the Offences ag^t. 15th Cha: 2^d, to remain only punishable in the Courts of Comon Law, is to leave it in the power of Illicit Traders (notwithstanding that Statute) to Import into these plantations any European Goods directly from any foreign Countries to their great profit and with little peril — Another thing I woul^d. propose to your Lordships as a Cure of this Mischievous Trade is, that Actions of Detenue be brought against some of the principal Offenders Importing here Goods from foreign parts, in order to recover the Goods Imported or their Value ag^t. the Importer of them; such actions will be warranted by the Judgment given in Westminster Hall by the Court of Kings Bench 8th: W^m. 3^d. in the Case of Roberts against Wetheral as Reported by Mr. Salkeld and others; The Effect of a few such actions properly pursued and Recoveries thereupon had, will I think Unquestionably have the greatest possible Tendency to break up this Trade; for the Security of the persons concerned in it according to their Understanding of the Matter rests in this, that if they can but prevent the Officers Seizing the Goods

Illegally Imported (and therein they generally meet with no great difficulty, as has been already observed) then they are according to their present Judgem^ts^. Safe in all respects; But when Once the Importers come to find that they are Chargeable with Actions for the Goods Illegally Imported or their Value, after they have Imported them Safely and Disposed of them, I think they cannot but be deterr'd from making such Unlawful Importations; For then they will see a New Danger, great and of long Duration, such as upon the whole they will have but little (if any) hopes to Secure themselves from — The most favourable Case wherein the first Action of this kind can be commenced & prosecuted in my Opinion will be that of the Brigantine Hannah which arrived here in Decr. 1741, and came directly from Rotterdam, which place she left in Octr. preceeding laden with Hemp spun into Yarn, paper, Ozenbrigs, Gunpowder and other Goods, after her Arrival here She was Seized, but she had first unladen and Secured her Cargo, and with great Difficulty we got some of the Crew, and by their Oaths proved such Facts ag^t^ her that She was Condemned, & as We have already Secured Considerable Evidence of what Goods were Imported in her, I think nothing will be wanting to Support an Action to be brought against the Owners of her for the Goods by them Imported in her, or their Value; but the proof of the particular Goods taken in by her at Rotterdam, and if your Lordships will be pleased to give Orders for Obtaining that, I think the Crown will be greatly Served by it; In such Case it will be Necessary to have such Evidence of this point, as the Lords of the Committee of Council will finally receive and Adjudge Sufficient; For with regard to the Success of such Actions here I think there is but little Reason to expect any Recovery on a Tryal by our Juries, tho' the proof of such Action and the Law for the Support of it, be ever So plain; But on an Appeal to his Majesty in Council, Law and Justice will without question be rightly Administred: The Condemnation of this Vessell was Owing in a great Measure to Accident; the Advocate Employed by the Claimers not knowing that upon Application to the Superior Court here he might have had a prohibition to the Court of Admiralty, Had that Method of Defence been Used the Vessell would have been certainly Acquitted in the Common Law Courts; For the only thing which Work'd her Condemnation, was our Catching some of the Crew flying, and holding them by such Compulsory process as we could not have had any where but in the Admiralty Court. — This is the only Vessell, which has been Condemned for being Employed in this Illicit Trade, And it is very remarkable that tho' she Sold for about four hundred pounds Sterling, and So the Owners of her lost that Sum

Yet they have continued that Trade ever Since to a very great Degree, tho' somewhat more warily; and other persons have been no wise deterr'd by this Loss and the peril which the Owners were in of having their Goods taken: But on the Contrary, more Illicit Trading Ships have come in here from Holland only, this last Summer and fall than from London, So near is Great Britain to being quite Work'd out of this part of her Trade: and tho' I have said So much to your Lordships touching this Matter Yet I cannot avoid adding that this Illicit Trade is Carried on to So great a Degree and in so many Various Shapes that I make no doubt but if proper preventive Measures be not soon taken, a great part of the Bounty Money given by Great Britain to the Importers of Naval Stores from the Plantations will in a Short time be laid out in Holland or other parts of Europe in the purchase of Goods there, to be Illegally Imported here, if that has not been already practis'd.

I cannot conclude without observing to your Lordships that Unless effectual Measures are Speedily taken, to Stop this growing Evil; the Illicit Traders will by their Numbers, Wealth and Wiles have got such power in these parts that Laws and Orders may come too late from Great Britain to have their proper Effect against it.

Your Lordships Commands to me (If you have any, touching these Matters) Signifyed to his Excellency the Governour or in whatever manner you please Shall be Obey'd with the Utmost Care and Dispatch that can be given them by

My Lords &c^a.

W: BOLUM.[1]

[*Endorsement.*]

Copy of a Letter from M^r. Bolum, the Advocate Genl. in N. England, to the Board Dated the 26th of Febry 1742/3, relating to a large Illicit

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[1] William Bollan practised law in Boston for several years before his appointment as Advocate General by Shirley, to whose beautiful daughter Frances he was married, 8 September, 1743, at King's Chapel, Boston, where a mural monument preserves her and her mother's memory. He was appointed Collector of Customs for Salem and Marblehead, was sent by the Province on a successful mission to England to obtain indemnity for the cost of the expedition to Cape Breton, and subsequently was Agent of the Province in London. Displaced by the Assembly for political reasons, he was similiarly employed by the Council and rendered distinguished service. He favored conciliatory measures toward the Colonies. Bollan was the ablest of all the Agents of the Province of the Massachusetts Bay at the British Court. He is said to have died in 1776.

Trade lately Carry'd on in that province destructive of the Interest of Great Britain in her Trade to her own plantations, and contrary to the main Interest of all her Laws made to regulate that Trade, by Importing into that province large Quantity's of European Goods of almost all Sorts; from diverse parts of Europe.

Mr. ARTHUR T. LYMAN drew comparisons between the oppressive acts of the British Government prior to the American Revolution and some of the burdens which the trade and commerce of this country bear to-day. He also referred to an article by Professor Ashley in a recent number of the Quarterly Journal of Economics dealing with the English Navigation Laws and their effect on New England commerce.

Mr. ROBERT N. TOPPAN remarked that Professor Ashley had not taken sufficiently into account the utter disregard of the Navigation Laws by the merchants of New England during the Provincial period.

Mr. ANDREW McFARLAND DAVIS then said: —

The suggestion made by Mr. Toppan as to the extent of the efforts made by Randolph to enforce the Navigation Laws, and his allusion to the manner in which these efforts were completely frustrated and rendered of no effect, can be easily verified by an examination of the Randolph Papers recently printed by the Prince Society under the editorial supervision of Mr. Toppan himself. With the aid of this valuable publication we can trace the zealous efforts of Randolph to secure the enforcement of the law and we can see, if we examine the results of the various libels upon vessels which he brought, how completely he was justified in his reiterated statements that he was being thwarted in his attempts to carry out his orders. It must be added, however, in justification of Professor Ashley's argument, in the paper alluded to by Mr. Lyman, that the Professor is discussing the period included between the years 1700 and 1760. It seems to me, however, that what took place in the days of the Colony has some bearing upon the subject and that the real facts of the case are, that the system of openly setting the Parliamentary

Act aside in judicial proceedings, nominally taken in order to carry it out, which prevailed in the days of the Colony, gave place under the Province to an equally open avoidance of the restrictions imposed by the Act, through illicit trade and barefaced smuggling. The method of frustrating the law was changed because, under the new Charter, the old way was no longer practicable.

Mr. Ashley argues, if I remember aright, that the Navigation Act, which was originally directed against the Dutch, was exclusively intended for the protection of British commerce, and that in this protection the Colonies participated. The establishment of the principle of British shipments in British bottoms, he says, had the effect of stimulating ship-building in New England. I should be inclined to think that this must be so, and to that extent I should admit that the Navigation Act may have benefited the Colonies. It may be that the beneficial influence of the Navigation Act was sufficiently great to have operated in this way even if the restrictive portions of the Act had been enforced against Colonial commerce, but inasmuch as these never were enforced, we are not called upon to estimate the offset of their deleterious influence and must therefore, as I have said, admit the justice of the claim made by Professor Ashley, — that ship-building must have been stimulated by the Navigation Act.

When we come to examine the arguments covering the effects of the restrictive legislation of a later period, it seems to me that Professor Ashley overlooks the fact that practically the same condition of things prevailed in the days of the Province as that which is so visibly set forth by Randolph in his remonstrances, protests, and petitions in the days of the Colony. We have abundant testimony bearing upon this point. In a paper submitted to the consideration of the Society last year,[1] in which I discussed the relation of the currency to the politics of the Province, I undertook to show that the people of the Province were apathetic with regard to this restrictive legislation simply because it was not enforced, and that when they realized that a new policy was being inaugurated, the fundamental idea of which was the passage of legislation which was to be put in practical

[1] At the April Meeting, 1899. See *ante*, pp. 157–172.

operation, they then rose in opposition. My purpose in that paper was simply to show the part taken by the currency discussion in educating the people of the distant towns in the politics of the Province, but it involved an examination of this very question, and the opinion that I then expressed has a direct bearing on the question which has been raised here to-day in the discussion following the interesting paper which we have just heard read by Mr. Ford.

The enforcement of the Molasses Act would have ruined the commerce of New England. Its evasion was so notorious that Professor Ashley excepts it from his discussion. Evasion of Parliamentary laws was not, however, limited to the Molasses Act. It comprehended all legislation of a similar character, and we have but to turn to contemporary English authorities to learn that the English were fully cognizant of this fact. A pamphlet[1] was published in 1765, which was attributed to George Grenville, in which it was stated that the average collections of revenue from all the Colonies during thirty years had not amounted annually to £1900, while vessels engaged in commerce between ports in the Baltic and the German Ocean imported illegally into the Colonies each year goods far exceeding in value those which passed thither through Great Britain. This pamphlet is well worthy of consideration. It is a dispassionate discussion of the subject and must have carried conviction to the minds of those who sympathized with the view of the writer that the prime function of the Colony was to benefit the Mother Country. The author states that the revenue laws, so far as the Colonies were concerned, were political regulations, the purpose of which was to lead up to the enforcement of the Navigation Act. It was because the colonists appreciated this that they broke into open resistance.

Mr. ALBERT MATTHEWS read the following paper on —

THE PURGATORY RIVER OF COLORADO.

In the southwestern part of Colorado is the Rio de las Animas, or Rio de las Animas Perdidas, commonly called the Animas

[1] The Regulations Lately Made concerning the Colonies, and the Taxes Imposed upon Them considered. London, 1765.

River, a tributary of the San Juan. Its waters find their way through the Colorado River to the Gulf of California. Though the region watered by the Animas was unsettled and but little known until about thirty years ago, yet the river was visited by the Spanish as early as 1776, and in that year Father Escalante alluded to it as the Rio de las Animas.[1] In the southeastern part of the same State is the Rio de las Animas, or Purgatory River, a tributary of the Arkansas, the latter river flowing into the Mississippi. How did this river, apparently alone of all the rivers of North America, excluding New England,[2] come to be called Purgatory River? Before attempting to answer this question, let us see what has been the history of the exploration of that stream. Though it was known to the Spanish and to the French, the first person to leave an account of it was the indomitable Pike, who, under the dates of 15 and 16 November, 1806, thus wrote: —

"Before evening we discovered a fork on the south side bearing S. 25° W. and as the Spanish troops, appeared to have borne up it, we encamped on its banks, about one mile from its confluence [with the Arkansas River], that we might make further discoveries on the morrow. . . . After ascertaining[3] that the Spanish troops had ascended the right branch or main river [*i.e.* the Arkansas]; we marched at two o'clock P.M."[4]

On his map, Pike charted the stream as the "1st Fork," but knew it by no specific name. The next party to explore it was that commanded by Long, and, under the dates of 22 and 27 July 1820, we find Dr. Edwin James writing as follows: —

"This encampment was about eighteen miles above the confluence of that tributary of the Arkansa, called in Pike's maps 'The First fork,' and, by our computation, near one hundred miles from the base of the

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[1] See *post*, pp. 314, 315 and *note*.

[2] There are in New England several small brooks to which the name of Purgatory is given, either because they drain swamps or because they flow through or near rock chasms which are called Purgatories. There is, of course, no connection between these swamps or rock chasms and the Purgatory River of Colorado; and the Purgatories of New England do not come within the scope of this paper.

[3] The printed word is "asserting," — an obvious misprint.

[4] Maj. Z. M. Pike, An Account of Expeditions to the Sources of the Mississippi, *etc.*, 1810, p. 163.

mountain. . . . After we had dined, we retraced our two last courses, and succeeded in ascending the cliff, at the place which one of the hunters had pointed out, taking, without the least regret, our final leave of the 'Valley of the souls in Purgatory.' This tributary of the Arkansa, designated on the old maps as the First Fork, as we learned from Bijeau, is called, among the Spaniards of New Mexico, 'The river of the souls in Purgatory.' We emerged from the gloomy solitude of its valley, with a feeling somewhat akin to that which attends the escape from a place of punishment."[1]

The river is indexed as "Purgatory creek," — this being the earliest appearance of the name in a book.[2] The third person to mention the river was one Jacob Fowler, a trader, who under the dates of 13 November, 1821, and 6 June, 1822, said: —

". . . on looking forward We Seen a Branch Puting in from the South Side Which We Sopose to be Pikes first forke and make for it. . . . We Crosed this plind [plain] and down the mountain to a branch of the White Bair Crick."[3]

The name given to the river by Fowler was due to the fact that on his outward trip one of his men had been killed by a grizzly bear. None of the names now applied to the river were known to Fowler. The subsequent exploration of the stream, and the various changes which its name has undergone, are sufficiently illustrated by the extracts which follow.

"We were now crossing the dividing line between the waters of the Timpas and those of the Purgatory, or Los Animos, of the Spaniards. . . . To-day we descended eleven and a half miles, and reached the valley of the Purgatory, called, by the mountain men, Picatoire, a corrup-

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[1] Account of an Expedition from Pittsburgh to the Rocky Mountains, . . . under the command of Major Stephen H. Long, . . . compiled by Edwin James, Philadelphia, 1823, ii. 66, 76, and *note*.

[2] But "Purgatory Cr." is found in one of the "Maps and Plates," published in 1822, which accompanied the work in question. It also appears as "Purgatory Cr." in the General Atlas published by F. Lucas, Jr., 1823, No. 49; as "Purgatory Cr." in S. Hall's New General Atlas, 1830, No. 44; and as "Rio de las Animas or Purgatoire," in the map by J. Gregg in his Commerce of the Prairies, 1844.

[3] Journal of Jacob Fowler, edited by E. Coues, 1898, pp. 41, 148 (American Explorers Series, i). In a letter to the present writer, Dr. Coues aptly characterized Fowler as the "bronco speller."

tion of Purgatoire, a swift-running stream, a few yards in width, but no grass of any amount at the crossing."[1]

"On the right, rose the cloud-capped summits of the Spanish Peaks; in front, the gates of the Raton pass, from which issued the much wished for 'Rio Purgatorio.' . . . Spent the day on the banks of the Purgatory; not inappropriately named, as one plunges into a perfect Erebus, amongst the rugged rocks of the Raton."[2]

"We started about noon, proceeding the first day about ten miles, and camped at sundown opposite to the mouth of the Purgatoire — the Pickatwaire of the mountaineers, and 'Las Animas' of the New Mexicans — an affluent of the Arkansa, rising in the mountains in the vicinity of the Spanish Peaks."[3]

"The Kiowas . . . are divided into several sub-tribes, under the control of independent chiefs, and portions of them, even during the winter months, occupy the valley of the upper Arkansas, and of its tributary, the Purgatory river. The 'Big Timbers' of the Arkansas, and the bushy shores of the Purgatory, afford them fuel and shelter from the storms."[4]

"The Purgatoire (first changed into Purgatory, and then corrupted into Pickel-Wire) rises in the northern angle which the Raton Mountains make with the main chain."[5]

"LAS ANIMAS COUNTY Lies along the southern boundary of Colorado, and takes its name from the principal stream running through it — the Las Animas, or Purgatoire (sometimes vulgarized into 'Picketwire'). The Las Animas ('The Spirits') valley forms one of the most magnificent tracts of farming land in Colorado."[6]

"Quelques mots ont été complétement défigurés. En effet, qui pourrait deviner que . . . 'Picketwire River,' dans le Nouveau-Mexique [est dérivé] de 'Rivière du Purgatoire?'"[7]

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[1] Lieut. W. H. Emory, 4, 5 August, 1846, Notes of a Military Reconnaissance, from Fort Leavenworth, in Missouri, to San Diego, in California, 1848, p. 17.

[2] Lieut. J. W. Abert, 13, 14 September, 1846, in W. H. Emory's Notes, *etc.*, 1848, pp. 436, 437. On 14 January, 1847, Abert refers to the stream as "the 'Rio de los Animas,' or Purgatory" (Notes, *etc.*, p. 523).

[3] G. F. Ruxton, Adventures in Mexico and the Rocky Mountains, 1847, p. 291.

[4] Capt. J. Pope, Report of Exploration of a Route for the Pacific Railroad, 1854, p. 16. (Pacific Railroad Reports, vol. ii., Part iv.)

[5] W. A. Bell, New Tracks in North America, 1869, i. 80. No doubt "Pickel-Wire" is a misprint for "Picket-Wire."

[6] The Rocky Mountain Directory and Colorado Gazetteer, For 1871, p. 61.

[7] G. Barringer, Étude sur l'Anglais parlé aux États-Unis (La Langue

"The tributaries of the Arkansas, which take their rise in the mountains, cut splendid cañons for their passage. Of these the finest is that of the 'Purgatory,' which for more than fifty miles is almost shut out from the light of day by beetling cliffs of red sandstone, 800 to 1,000 feet high, and in many places within a very few hundred feet of each other."[1]

"There is also a 'purgatory' in the Rocky Mountains, this name being given to a gorge, defile, or cañon, traversed by one of the branches of the Arkansas (Purgatory River). This 'purgatory' is on a grand scale, it being more than fifty miles long, and its walls from eight hundred to a thousand feet high."[2]

"The first farm in the fertile and now valuable valley of the Rio de las Animas was opened by the Bents."[3]

It thus appears that among the names given to this stream are Purgatory, Purgatorio, Purgatoire, Picatoire, Pickatwaire, Picketwire, and Rio de las Animas.[4] As M. Barringer remarks, the connection between Purgatory and Picketwire is not obvious at a glance; but the above extracts show the successive changes by which the corruption has been brought about. It is clear,

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Américaine), in Actes de la Société Philologique, 1874, iii. 302. The author is of course mistaken in locating the Purgatory in New Mexico.

[1] R. I. Dodge, The Plains of the Great West and their Inhabitants, 1877, p. 21.

[2] J. D. Whitney, Names and Places: Studies in Geographical and Topographical Nomenclature, 1888, p. 161. In a note, Prof. Whitney quotes Col. Dodge, and refers to Emory and Abert as "the earliest scientific explorers of this region." It is clear that Prof. Whitney had not made a study of the subject; for, as we have already seen, Emory and Abert had been preceded by Pike and Long.

[3] H. Inman, The Old Santa Fé Trail: The Story of a Great Highway, 1897, p. 395. In a note Col. Inman adds: "'River of Souls.' The stream is also called Le Purgatoire, corrupted by the Americans into Picketwire."

[4] The Purgatory River is sometimes referred to as the Rio de las Animas Perdidas. Thus, Col. Inman, alluding to the top of Raton Peak, recently wrote: "Far below this magnificent vantage-ground lies the valley of the Rio Las Animas Perdidas" (The Old Santa Fé Trail, 1897, p. 486). Such a designation is wrong, and is due to confusion with the Animas River, the tributary of the San Juan mentioned at the beginning of this paper. In a letter to the present writer, the late Dr. Coues spoke of the confusion as one made by "blundering writers;" yet Dr. Coues himself twice fell into the trap, and on my pointing out the mistake, characteristically remarked that he was waiting "to get a chance to abuse himself in print about it."

also, that the genesis of Purgatory River is from the Spanish Rio Purgatorio. As to the origin of this name, several explanations have been advanced. An English traveller, Mr. W. A. Bell, remarked as follows: —

"We had come to the entrance of the Red Rock Cañon; and never have I seen anything to equal the wonderful effect of this mass of colour. There cannot be a doubt that, coming unexpectedly upon this marvellous spectacle, *Purgatory* was the instant and unvarying idea impressed upon the imaginations of the French explorers from Louisiana who first visited this spot; for it seemed only just out of some mighty furnace, and looked as if, a little farther on, within the narrow jaws through which the boiling waters came seething down, the whole chasm was even then red-hot, and ready to engulf those whom *Holy Church* had doomed to destruction."[1]

This notion is based on a complete misconception of the Catholic doctrine of Purgatory. That doctrine is that Purgatory is a place where the souls of those who have died in grace undergo a process of cleansing from sin preparatory to being admitted into Paradise. Hence "the enemies of Holy Church" are precisely the ones whose souls under no circumstances can enter Purgatory; and it follows that Mr. Bell has confounded Purgatory with Hell, — a mistake common with Protestants, and one which is found in several of the extracts cited above. But though the precise idea suggested by Mr. Bell could never have occurred to the Spanish or French traders who first explored the region of the Purgatory River, yet if we substitute the correct conception of Purgatory for Mr. Bell's misconception, we have an explanation of the origin of the name which may possibly be the true one.

A few years ago Colonel Richard I. Dodge advanced another explanation, as follows: —

"A curious and interesting story was told me by an old Mexican, *apropos* to the name of what is known on our map as the 'Purgatory River.' When Spain owned all Mexico and Florida, the Commanding Officer at Santa Fé received an order to open communication with Florida. An Infantry Regiment was selected for this duty. It started rather late in the season, and wintered at a place which has been a town

[1] New Tracks in North America, 1869, i. 88, 89.

ever since, and is now known as Trinidad. In the spring, the colonel, leaving behind all camp followers — both men and women — marched down the stream which flows for many miles through a magnificent cañon. Not one of the regiment returned or was ever heard of after, their fate being shrouded in mystery. When all hope had departed from the wives, children and friends, left behind in Trinidad, information was sent to Santa Fé, and a wail went up through the land. The priests and people called this stream, 'El rio de las animas perdidas,' 'The River of lost Souls.' Years after, when the Spanish power was weakened and Canadian French trappers permeated the country, they adopted a more concise name. The place of lost souls being purgatory, they called the river 'Le Purgatoire.' Then came the 'Great American Bull-whacker,' he whose persistent efforts opened and maintained the enormous trade between Santa Fé and St. Louis. Utterly unable to twist his tongue into any such Frenchified expression, he called the river the 'Picketwire,' and by this name it is known to all frontiersmen and to the settlers on its banks."[1]

No such expedition as that referred to is known to historians; the sudden rise of Trinidad would, even in our go-ahead West, be an impossibility; as a matter of fact, Trinidad came into existence between 1860 and 1870;[2] the name Rio de las Animas Perdidas is wrongly applied to the Purgatory, through confusion

[1] Our Wild Indians: Thirty-three Years' Personal Experience among the Red Men of the Great West, 1882, pp. 229, 230. The following description of a bull-whacker is from the pen of John White, an English traveller: —

"The men were of the wildest Western type, either miners from the mountains or 'bull-whackers' from the plains. The profession of 'bull-whacking' has, in ante-railway days, been one of the foremost in the West. The bull-whacker is a teamster, who uses his waggon and team of oxen for bringing supplies westward from the Missouri, and otherwise carrying on the trade of the country. The number of prominent men in the Far West, who started in trans-Missourian life as bull-whackers, is said to be very great, and the gains of the profession, hitherto, to have been very large. The good bull-whacker must be fearless of Indians, and the cleaner he shoots his men, the better; he must be able to stand any hardship; he is generally of fine physique, with a vigorous rollicking, devil-me-care look about him, which makes him a handsome specimen of manhood," *etc.* (Sketches from America, 1870, p. 259).

[2] In 1859 a French Canadian settled at the mouth of Gray's creek four miles below Trinidad; in 1860 settlers built cabins in the valley opposite Trinidad; and in 1862 several persons "staked off a number of lots, built cabins, and thus originated the nucleus" of Trinidad. (The Rocky Mountain Directory and Colorado Gazetteer, For 1871, pp. 397–398.) Florida was ceded by Spain to the United States in 1819.

with the Animas River, the tributary of the San Juan; and, finally, Purgatory is not "the place of lost souls." Colonel Dodge's suggestion is a peculiarly unhappy one.

Less absurd than the explanation which has just been considered, is one put forward by James F. Meline.

"When the thing is explained," he said, "you are ready to believe anything in distorted orthography — except, perhaps, Picket Wire. . . . Why Picket Wire? Never was any wire in the country. And then it's English, while every mountain and stream in this whole region has a French, Indian, or Spanish name. . . . At last a native was caught, who, on being asked the name of the stream, gave it instantly its beautiful Spanish appellation, 'Rio de las Animas.' Ah! here was a light. 'The River of Souls.' . . . I gave you my theory of the origin of the word Platte. I think I can perceive that of the Rio de las Animas. In his diary of November 15, 1806, Pike speaks of encamping on a fork of the Arkansas, on the south side, bearing south 25° west, and he says, 'As the Spanish troops appeared to have borne up it, we encamped,' etc. South 25° west is precisely the course of the Picket Wire, and applies to no other stream that Pike could then have reached. The troops in question were probably en route to Mexico. It is evident from what Pike says that some days had elapsed since they passed. They in all probability reached it on the 2d of November, All Souls' Day, and according to their custom — instance Florida, Corpus Christi, etc. — named it 'Las Animas,' in commemoration of the day."[1]

An examination of Pike's statements, already given, shows that the Spanish troops did not ascend the Purgatory; and though they may have encamped at its mouth on the second of November, 1806, there is no proof that they did so. Moreover, Malgares, the commander of the Spanish troops, "was raiding as a bravo to anticipate Pike in seducing Indians, and was *naming* nothing."[2] Finally, the name Rio de las Animas, as has been

[1] J. F. Meline, Two Thousand Miles on Horseback: Santa Fé and Back, 1868, pp. 93–95.

[2] So Dr. Coues wrote me. After my own investigations were completed, I applied to Dr. Coues in the hope of obtaining further information. In spite, however, of his immense knowledge in such matters, he was unable to furnish me with any facts not already known to me, except the reference to Escalante's Diary. When Dr. Coues acknowledged himself baffled, others need not be ashamed of their ignorance.

observed, occurs in a Spanish work as early as 1776.[1] It is true that this name was applied not to the Purgatory River but to the Animas River,[2] the tributary of the San Juan; yet the words of Father Escalante show the existence of the name long before the time of Malgares.

The period of the first use of Purgatorio, and the circumstances of its imposition, are as yet to be discovered; and until evidence bearing on these points is adduced, it will be well to refrain from theorizing. It may be pointed out, however, that in Catholic countries Purgatorio is by no means unknown as applied to topographical features. Thus there are in Venezuela both a mountain

[1] "Dia 8, salimos del rio Pinos y Vega de San Cayetano, rumbo oesnoroeste, y á las cuatro leguas llegamos al rio Florida, que es mediano y menor que el de los Pinos; . . . Pasado el rio Florida, caminamos al oeste dos leguas y al oesnoroeste poco mas de otras dos; bajamos una cuesta pedrosa y no muy dilatada, llegamos al rio de las Animas, cerca de la punta occidental de la sierra de la Plata, en que tiene su origen. . . . Dia 9: salimos del rio de las Animas, . . . anduvimos por ella una legua al oeste, y declinamos al oeste cuarta al noroeste, y andadas tres leguas por un monte frondoso de buenos pastos, llegamos al rio de San Joaquin, por otro nombre de la Plata, el cual es pequeño" (Escalante's Diario y Derrotero, 8, 9 August, 1776, in Documentos para la Historia de Mexico, second series, 1854, i. 388). My attention was called to this work by Dr. Coues; but I am indebted to our associate, Mr. A. P. C. Griffin, for kindly procuring me a copy of the entries for 8 and 9 August. Maps of Escalante's route will be found in the Atlas accompanying the Exploration du Territoire de l'Orégon, des Californies et de la Mer Vermeille, exécutée pendant les Années 1840, 1841 et 1842, par M. Duflot de Mofras, Paris, 1844, No. 1; in P. Harry's account, written in 1860, of Escalante's Diary, in Captain J. H. Simpson's Report of Explorations across the Great Basin of the Territory of Utah for a direct wagon-route from Camp Floyd to Genoa, in Carson Valley, in 1859 (published in 1876), p. 489; and in H. H. Bancroft's History of the Pacific States of North America, xx. 342. There is nothing in Escalante's Diary for those two days to indicate that the names Pinos, Florida, Las Animas and La Plata — all of which are retained to the present day — originated with himself; while he does distinctly say that in years past several expeditions started from New Mexico to exploit certain lodes of metal in the cañon of the Rio de la Plata.

[2] Escalante's name is Rio de las Animas. How "Perdidas" came to be added is a mystery which cannot be fathomed. Curiously enough, I cannot find the slightest allusion to the Animas River from the days of Escalante to those of Captain J. N. Macomb, who explored the stream in 1859. (See Professor J. S. Newberry's Geological Report in Captain Macomb's Report of the Exploring Expedition From Santa Fé, New Mexico, to the Junction of the Grand and Green Rivers of the Great Colorado of the West, 1876, pp. 76, 78, 79.)

range and a river named Purgatorio;[1] there is on the northwest coast of Cuba a Punta del Purgatorio;[2] there is, in the interior of the same island, a place called Loma del Purgatorio;[3] and no less than three communes in Italy have each a "frazione" designated Purgatorio.[4]

That the question with which this paper began must be left without an adequate answer, is cause for regret; but perhaps the history of the Purgatory River of Colorado is not without interest as a study in nomenclature.

Mr. JOHN NOBLE reminded the Society that its meeting was being held on the anniversary of the birth of Franklin and remarked upon the great value to mankind of his discoveries and inventions, and upon his public services, calling attention to the remarkable variety and extent of the fields of his interests.

Mr. HENRY H. EDES exhibited a letter of Edmund Quincy and said: —

The original letter which is now before the Society was written 18 June, 1773, by Edmund Quincy (H. C. 1722) to his daughter Dorothy,[5] afterward the wife of Governor John Hancock. She was then in Shirley, Massachusetts, on a visit to the Reverend Phinehas Whitney (H. C. 1759) and his second wife, Lydia Bowes, daughter of the Reverend Nicholas Bowes (H. C. 1725) of Bedford, Massachusetts, and cousin-german to John Hancock.

[1] "PURGATORIO: *Geog.* Altura de la serranía de Turumiquire, en la sección Cumaná, Venezuela, á 1548 m. sobre el nivel del mar. Río de la sección Cumaná, Venezuela; nace en la serranía de Paria y desagua en el golfo del mismo nombre" (Diccionario Enciclopedico Hispano-Americano de Literatura, Ciencias y Artes, 1895, xvi. 657).

[2] The Century Atlas, 1897, No. 68.

[3] So I am informed by a correspondent.

[4] "PURGATORIO. — Frazione del com. di Capriata d'Orba, prov. di Alessandria. L' ufficio postale è a Capriata d'Orba. PURGATORIO. — Frazione del com. di San Massimo, prov. di Molise. . . . PURGATORIO (Anime del). — Frazione del com. di Spoleto, prov. dell' Umbria" (Dizionario Corografico dell' Italia compilato per cura del Prof. Amato Amati, Milano, vi. 672). This work is undated, but was published about 1869.

[5] Dorothy Quincy was baptized at the Church in Brattle Square, 17 May, 1747.

Madam Lydia Hancock[1] was also there, on a visit to her niece and namesake. If tradition be true, she had set her heart upon having Miss Quincy for a niece and as her own successor as mistress of the Hancock mansion on Beacon Hill, where, before hostilities began, the young lady was often a welcome guest. Madam Hancock lost no opportunity to bring Miss Quincy and her favorite nephew together at Boston, at Lexington, at Burlington, at Shirley, at Fairfield, Connecticut, and elsewhere, and she finally had the satisfaction of witnessing their nuptials, on the twenty-eighth of August, 1775, at Fairfield, where the Rev. Andrew Eliot (H. C. 1762), son of Dr. Andrew Eliot (H. C. 1737) of Boston, was the settled minister. It is said that during Miss Quincy's visit at Fairfield, where she and Madam Hancock were the guests of Thaddeus Burr and his wife, in the summer of 1775, she met Aaron Burr, a kinsman of her host, and was much charmed by his fascinating manners; but her watchful chaperon took care that her own matrimonial plans for her young charge were not interfered with. In view of what has been said, there is no cause for surprise in the fact that the first child born to Governor Hancock and his young wife was named Lydia Henchman Hancock.

The grace with which Mrs. Hancock presided over the Governor's household and received his distinguished guests has been often described. Here is one description: —

Madam Hancock gratified the ambition of her husband, in presiding with so much graceful ease at his hospitable board and in the social circle, that her presence ever infused an enlivening charm. So famed was Hancock for hospitality, that his mansion was often thronged with visitors; and frequently did Madam Hancock send her maids to milk their cows on Boston Common, early in the morning, to replenish the exhausted supply of the previous evening. On July 28, 1796,[2] widow Dorothy Hancock was married, by Peter Thacher, D.D., to James Scott, the master of a London packet, formerly in the employ of the

[1] An interesting memorial of Madam Hancock's interest in the First Church of Shirley remains in the large Bible, inscribed with her name, which she gave for the pulpit on the occasion of the opening for public worship of the new Meeting-House, on the twenty-fifth of November, 1773. See *post*, pp. 321–323.

[2] The Records of the Church in Brattle Square, and the Boston Record Commissioners' Reports, xxx. 141, give the date of Madam Hancock's marriage as 27 July, 1796.

governor. She outlived Capt. Scott many years,[1] and retained her mental faculties until near the close of life. She was a lady of superior education, and delightful powers of conversation.

Her last days were retired and secluded, in the dwelling No. 4 Federal-street, next the corner of Milton-place, in Boston; and those were most honored who received an invitation to her little supper-table. She spoke of other days with cheerfulness, and seldom sighed that they had gone. Her memory was tenacious of past times; and there were but few officers of the British army quartered in Boston whose personal appearance, habits, and manners, she could not describe with accuracy. Her favorite was Earl Percy, whose forces encamped on Boston Common during the winter of 1774–5; and this nobleman, accustomed to all the luxuries of Old England, slept among his companions in arms in a tent on the Common, exposed to the severity of the weather as much as were they. The traces of those tents have been visible, to a very recent period, on the Common, when the grass was freshly springing from the earth, and the circles around the tents were very distinct. At the dawn of day, Madam Scott related that Earl Percy's voice was heard drilling the regulars near the old mansion.

Madam Hancock had an opportunity, after the capture of Burgoyne, of extending her courtesies to the ladies of his army, while at Cambridge, under the treaty with Gates. They were gratefully received by the fair Britons, and ever remembered. When Lafayette was in Boston, during his last visit, in August, 1824, he made an early call on Madam Scott. Those who witnessed this hearty interview speak of it with admiration. The once youthful chevalier and the unrivalled belle met as if only a summer had passed since they had enjoyed social interviews in the perils of the Revolution. While they both were contemplating the changes effected by long time, they smiled in each other's faces, but no allusion was made to such an ungallant subject; yet she was not always so silent on this point. One of her young friends complimented her on her good looks. She laughingly replied, "What you have said is more than half a hundred years old. My ears remember it; but what were dimples once are wrinkles now." To the last day of life, she was as attentive to her dress as when first in the circles of fashion. . . . Madam Scott died in Boston, Feb. 3, 1830, aged 83 years.[2]

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[1] Captain James Scott died 19 June, 1809, at the age of 63 (Columbian Centinel of Wednesday, 21 June, 1809, No. 2631, p. 2/4, which see). His will is in Suffolk Probate Files, No. 23,366.

[2] Loring's Hundred Boston Orators (1853), pp. 106, 107. Madam Scott's will is in Suffolk Probate Files, No. 29,160.

The Columbian Centinel of Saturday, 20 February, 1830, No. 4786, p. 1/

The text of Mr. Quincy's letter follows: —

DEAR DOLLY,

Altho I'm not to be favored with *one* Letter or line, I sit down to write you a *second*, to congratulate you upon the favorable account of your health, which I have, with great satisfaction receiv'd, thrô, Col° Handcocks goodness, in communicating what Mr Whitney informs him on that head, & also upon the agreableness of Mad^m Handcock's & your present tour into the Country, (especially at Lancaster), where Nature smiles thrô the most extended circle of observation; where the beauties of the Animal & Vegitable world, as well as those of the Ceelestial Regions, illude ye Search of the most phylosophical eye. Let us take the hint, (indeed very obvious) & be thence taught to contemplate, admire & adore the inexhaustable Source, from whence is derived every blessing both of the upper and nether Springs; the latter indeed soon, very soon, may be dried up: but this affords us a singular reason for our making sure of a portion in the Former, which is never failing . . . . . .[1] The inconstancy of humane things, which we are very apt to regret, is very wisely designed to correspond with every affair relative to the humane System; in the honest Examination, & right understanding whereof, as far as our respective capacities reach, is said to consist that wisdom, recommended to us as *the principal thing;* and as our creator has been pleased to furnish us with the divine talent of reason & reflection, we are infinitely obliged to improve the same to the highest degree of our intellectual capacity; indeed the longest span of life will prove too short to render praise to the *author* of our Being, adequate to the blessings with wch he vouchsafes to crown us here; and hence a cogent argument to evince ye revealed doctrine of a Resurrection & a future life, in the Full expectation whereof, we are by Divine permission, to be ever gratefully rejoycing, in what ever state an all wise providence may see fit to place us, in this life, and the more innocently & inoffensively we live in it, the higher will be the enjoyment of every favor we may receive, thô. by a different System of action we are in danger of annihilating the same: but I may not pro-

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contains a long obituary notice of Madam Scott from which the following extract is taken: —

She was near to, and in sight of the battle ground, when the first blood flowed in Lexington. . . . Madam Hancock was justified in the opinion of her friends, when she gave her hand to a second husband, Capt. James Scott, whose amiable temper and worthy character, she had long and intimately known. With this excellent man, she enjoyed as much happiness as may well consist with the lot of humanity.

[1] These dots are in the original from which nothing has been omitted in printing.

ceed, tho. on a most agreable subject of contemplation, my time being Short & interruptions frequent.

You have the honor of Col° Handcock's being the bearer, I wish him a pleasant Journey, & a happy meeting with his valuable aunt[1] & you, & that you with them may have a safe & comfortable Journey home: You'l make mine & your Sist^r Katy's[2] compliments acceptable to Mad^m Handcock,[3] Mr Whitney & Lady, to which I need not add that I remain

Dear Dolly,

Your most affection^te Father

and Friend,

EDM. QUINCY[4]

Boston June 18th 1773

To Miss. DOLLY QUINCY

P. S. Your Sister Katy intended an answer to your Short L^r — but this day has not been able. Col° Handcock[5] & associates have had a

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[1] The reference is to the childless rich widow of the richer Thomas Hancock from each of whom Governor Hancock inherited a fortune. See Note on Lydia Hancock, *post*, pp. 321–323.

[2] Katharine Quincy was baptized 3 June, 1733 (Records of the Church in Brattle Square). She died, unmarried, 9 June, 1804, at the age of 71, her funeral "proceeding," on the eleventh, "from the house of James Scott, esq." (Boston Gazette of Monday, 11 June, 1804, No. 795, p. 2 3).

[3] Lydia (Henchman) Hancock.

[4] Edmund Quincy, the son of Judge Edmund and Dorothy (Flynt) Quincy, was born 13 June, 1703 (Braintree Town Records, p. 682); married Elizabeth Wendell 15 April, 1725 (Boston Record Commissioners' Reports, xxviii. 128); was a merchant in Boston; and a prominent member of the Church in Brattle Square, where his children were baptized. He died on Friday, 4 July, 1788, at the age of 85 (Massachusetts Centinel of Saturday, 5 July, 1788, ix. 129.3). His letter-book is in the Cabinet of the Massachusetts Historical Society. Two letters contained in it, addressed to his son-in-law John Hancock and to Madam Lydia Hancock, describing the evacuation of Boston, are printed in the Society's Proceedings for April, 1868, iv. 37–41. A notice of Mr. Quincy is appended to the letters (pp. 41–44).

[5] Hancock had been commissioned by Hutchinson Captain of the Independent Corps of Cadets in May, 1772. He was dismissed by Governor Gage 1 August, 1774, whereupon the company disbanded and returned their colors to the Governor.

hard task, respecting ye G's,[1] L^t G's[2] & other Letters[3] of wch you'l see Copies — but I think notwithstanding, He appears to rise the higher the greater ye burthens. Mrs Boyle[4] here, remembers her love to you, & wants to see you.

[*Addressed*]

To

Miss, Dolly Quincy

at the Revd Mr Whitneys

in

Shirley

By Favor of Col^o Handcock

NOTE ON LYDIA HANCOCK.

Lydia Henchman, daughter of Daniel and Eliza (Gerrish) Henchman, was born 4 October, 1714 (Boston Record Commissioners' Reports, xxiv. 98). She married Thomas Hancock, who served his apprenticeship with her father, a prominent and successful bookseller, 5 November, 1730 (*Ibid.* xxviii. 154). Thomas Hancock's death was thus announced: —

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[1] Governor Thomas Hutchinson.

[2] Lieutenant-Governor Andrew Oliver.

[3] These were the famous letters which Dr. Franklin secured in England and sent over to Thomas Cushing, Speaker of the House, early in December, 1772. They were printed in Boston in the summer of 1773 and produced the greatest excitement and alarm throughout the Province. *Cf.* Hutchinson's History of the Province of Massachusetts Bay, iii. 394, 395 and *notes;* Diary and Letters of Thomas Hutchinson (London, 1883), i. 159 *et seq.*; and 1 Proceedings of the Massachusetts Historical Society for February, 1878, xvi. 42–49.

[4] This lady may have been Mrs. Lydia Boyle whose death, at the age of 76, was announced in the Mercury and New England Palladium of Friday, 26 November, 1802, p. 3/1, without the date of her demise being mentioned. Her funeral, however, occurred, on the twenty-sixth, and proceeded from the house of her son, Col. John Boyle, bookseller and stationer, No. 18 Marlborough Street, Boston. See Suffolk Deeds, clxxxii. 168. Col. Boyle was twice married, and if the reference in the text was not to his mother it was, doubtless, to his first wife, Cœlia, daughter of Martin Gay the Loyalist (see *ante*, iii. 379–400), to whom he was married 12 March, 1772 (Records of the West Church, Boston). She died at Hingham, Massachusetts, 11 April, 1776 (New England Chronicle of Thursday, 25 April, 1776, No. 401, p. 3/2). See History of Hingham (1893), ii. 265. Col. Boyle married (2) Elizabeth Casneau, 20 June, 1778 (Records of the New North Church) and had by her several children who were baptized at the Church in Brattle Square, among them Dorothy Hancock Boyle, baptized 18 May, 1788. Col. Boyle died of apoplexy in Boston, 18 Nov-

Wednesday last about Noon, the Honorable *THOMAS HANCOCK*, Esq; one of His Majesty's Council for this Province, was seized with an Apoplexy, just as he was entering the Council Chamber, and expired about Three o'Clock P. M. at his Saet, to which he was carried soon after he was taken with the Fit. — He died in the 62d Year of his Age; and was one of the most noted Merchants in New-England. His Remains are to be interr'd this Afternoon, at Half past 4 o'Clock (Boston Gazette of Monday, 6 August, 1764, No. 488, p. 3/2).

For Thomas Hancock's will, see Suffolk Probate Files, No. 13,484.

Madam Hancock fled from Boston during the siege and took refuge at Fairfield, Connecticut, where, in the old burial-ground, may be read the following inscription, which is here copied from Abram English Brown's John Hancock His Book (1898), p. 240, *note*: —

THIS STONE ERECTED

BY THADDEUS BURR AND EUNICE BURR

TO THE MEMORY OF THEIR DEAR FRIEND

MRS. LYDIA HANCOCK,

RELICT OF THE HON^BLE THOS. HANCOCK, ESQR.

OF BOSTON,

whose Remains lie here interred, having retired to this town from
the calamities of war, during the Blockade of her native
city in 1775. Just on her return to the reenjoy-
ment of an ample fortune.

ON APRIL 15TH A. D. 1776

She was seized with apoplexy and closed a life of
unaffected piety, universal benevolence
and extensive charity.

Madam Hancock's death was announced in the Boston Gazette of Monday, 6 May, 1776, No. 1094, p. 2/2: —

Lately died at Fairfield, Lady *Lydia Hancock*, Widow of the late Hon. *Thomas Hancock*, Esq; and Aunt to the Hon. *John Hancock*, Esq; President of the Continental Congress.

The issue of Monday, 20 May, No. 1096, p. 1/1, contains a long notice, filling nearly a column, from which the following extract is taken: —

FAIRFIELD, April 26.

YESTERDAY died here, after a short illness, Mrs. *Lydia Hancock*, relict of the late Hon. *Thomas Hancock*, Esq; of Boston.

A few days before the memorable 19th of April, she retired from her pleasant seat in that town, and not long after came to the house of Thaddeus Burr, Esq; of this place, a family with which she had long been peculiarly intimate, and amidst whose tenderest offices of friendship she expired. . . .

The quick approach of death would not allow her to be attended in her last moments by her Nephew, the Hon. *John Hancock*, Esq; President of the American Congress, who

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ember, 1819 (Boston Town Records). The Columbian Centinel of Saturday, 20 November, 1819, No. 3716, p. 2/4 thus announces his death: —

In this town, John Boyle, Esq. aged 73. During the revolution he commanded a regiment and was aid-de-camp to Gov. Hancock.

was happy in being educated by her, from his early childhood, and the object of her fondest affection on this side heaven.

In her last illness, before she was thought dangerous, she suddenly grew nsensible and spoke but little; this is the less to be regretted, since her life spoke so much.

Lydia Hancock's will, dated 30 October, 1765, contains many bequests, among them legacies to the daughters of the Reverend Nicholas Bowes. Owing, doubtless, to the absence in Philadelphia of her nephew, executor and principal heir, who did not resign the Presidency of Congress till the autumn of 1777, the will was not probated till 21 November, 1777, on his return to Boston (Suffolk Probate Files, No. 16,409).

Mr. NOBLE spoke at length of the famous case of Maria, the negress convicted of arson in 1681, and of some other instances of persons sentenced to death by burning, and communicated several original papers in the case of Maria recently found in the Suffolk Court Files. These papers include the original Indictment, Maria's Confession, and two Depositions.

THE CASE OF MARIA
IN THE COURT OF ASSISTANTS IN 1681.

Several communications appeared in The Nation[1] not long ago touching the execution of the negro woman, Maria, in Boston in 1681. This case was among those mentioned in a former communication to this Society on the Trial and Punishment of Crimes in the Court of Assistants, *etc.*,[2] and is also referred to and discussed in a paper read before the Massachusetts Historical Society in 1883, by our associate Mr. Goodell, — The Trial and Execution for Petit Treason of Mark and Phillis, Slaves of Captain John Codman.[3] As a number of original documents and papers connected with the case of Maria, not known or accessible at the latter date, have since come to light in the Suffolk Court Files, it seems worth while to give them here, with a few further notes on a case which has some interest in connection with Massachusetts history.

[1] The Nation, 7 September, 19 October, 23 and 30 November, 1899, lxix. 187, 296, 390, 409.

[2] Publications, iii. 61, 62.

[3] Reprinted from Proceedings of the Massachusetts Historical Society for March, 1883, xx. 122–157.

The record in the case of Maria, and that in the case of the negro Jack, executed at the same time, are already in print,[1] but as they seem necessary to a clear presentation of the case, they are repeated here. That of Maria is as follows: —

Att A Court of Assistants held at Boston 6th September 1681

Marja Negro servant to Joshua Lambe of Roxbury in the County of Suffolke in New England being presented by the Grand Jury was Indicted by the name of marja Negro for not hauing the feare of God before hir eyes & being Instigated by the divil at or vpon the eleventh day of July last in the night did wittingly willingly & felloniously set on fier the dwelling house of Thomas swann of sd Roxbury by taking a Coale from vnde^r a still & carrjed it into another Roome and lajd it on floore neere the doore & presently went & crep^t into a hole at a back doore of thy master Lambs house & set it on fier also taking a liue Coale betweene two chips & Carried it into the chambe^r by which also it was Consumed as by yor Confession will appeare contrary to the peace of our Soueraigne Lord the king his Croune & dignity the lawes of this Jurisdiction in that Case made & prouided title firing of houses = The prisoner at the barr pleaded & acknowledged hirselfe to be Guilty of y^e fact. And accordingly the nex^t day being Again brought to the Barr had sentenc of death pronnouct ag̃t hir by the Honnõ^ble Goũno^r y^t she should Goe from the barr to the prison whenc she Came & thence to the place of Execution & there be burn^t =

Marja negro^ss Indictment

& sentence

y^e lord be mercifull to thy soule s^d y^e Goũ.[2]

The record in the case of Jack[3] runs thus: —

~~Cheffallja~~ | Jack | negro servant to m^r Samuel woolcot of weathe^rsfeild thow art Indicted by the name of Jack negro for not hauing the feare of God before thy eyes being Instigated by the divill did at or vpon the fowe^rteenth day of July last 1681 wittingly & felloniously sett on fier Leifteñnt w^m Clarks house in north Hampton by taking a brand of fier from the hearth and swinging it vp & doune for to find victualls as by his

Jack negro^ss Indictm^t & sentenc

[1] 1 Proceedings of the Massachusetts Historical Society for March, 1883, xx. 149-151.

[2] Records of the Court of Assistants (1673-1692), ii. 139. The citations of these Records which occur in this communication are from the original manuscript.

[3] Records of the Court of Assistants (1673-1692), ii. 139. In connection

Confession may Appeare Contrary to the peace of ou^r Soueraigne Lord the King his Croune & dignity the lawes of God & of this Jurisdiction in that Case made & prouided title firing of houses page (52) to wch Indictment at the barr he pleaded not Guilty & Affirmd he would be trjed by God & the Country and after his Confessions &c were read to him & his owning thereof were Comitted to the Jury who brought him

---

with Jack's case are two bills of costs and expenses, which have one or two points of interest: —

I.

Joseph Hawley's Bill of Charge As An Evidence In the Case Referring to Jack the Negro is as followeth:

Imp: To hire of An horse & shoeing: —	00 – 15 – 00
To ferridg — — — — —	00 – 01 – 04
To time; 15 days out & home — —	01 – 10 – 00
To horse Pasturing &c. charge for the horse on the Journey:	00 – 06 – 00
	02 – 12 – 04

This is Justly Due In money wch I Doubt not that yor Hon^rs will Alow or to be payd At Money price:

Sept. 10 1681: JOSEPH HAWLEY

Allowed E[DWARD] R[AWSON] S[ECRETARY] in Country pay

[*Endorsed*]

Hauley's Costs

— (Suffolk Court Files, xxiv. 2020: 1)

II.

A Bill of
Charges due to Medad Pumry for time and expence About Jack Negro
imp^r to make Irons to secure him at Northampton

And to conuey him to Springfield —	00 – 04 – 00
it my selfe one jorney to Springfield with Petter Henricks — — —	00 – 05 – 00
To ferig and horse pasture — —	0 – 00 – 01 – 00
To 15 days out And home to giue in Testimony at the Court of Assistance	– 01 – 10 – 00
To horse hire for the jorney — —	0 – 0 – 15 – 00
To pasture for my horse here — —	0 —— 06 – 00
To ferrige — — — —	00 —— 01 – 04
	03: – 02 — 4

Allowed E R S
in Country pay

[*Endorsed*]

Medad Pumry &
Hawley's Costs.

– (*Ibid.* xxiv. 2020: 2).

in Guilty and the next day had his sentence pronounct agt him by the Gouernor that he should goe from the barr to the place whence he Came & there be hangd by the neck till he be dead & then taken downe & burnt to Ashes in the fier wth Maria negro = The Lord be mercifull to thy soule sajd the Gouernor =

Among the papers in the Suffolk Court Files are the original indictment of Maria, a memorandum of her confession, implicating two other negroes, the findings of the Grand Jury of "no bills" against these, and some depositions.

The indictment is as follows: —

Wee the Grand Jury for or Soueraignd Lord ye king

Doe present Mariah Negro Seruant to Joshua Lamb of Roxbury in ye County of Suffolk: in New Engld for not haueing ye fear of God before her Eyes, & being instigated by ye deuill at or upon ye Eleuenth of July last in ye Night, did Wittingly willingly & felloniously Set on fire ye dwelling howse of Thomas Swann of said Roxbury by takeing a Coall from under a still & carried it into anothr room and laid it on ye floare near ye dore, & presently went & crept into a hole at a back doare of her Master Lambs howse & set it on fire also takeing a liue coall between two chipps & carried it into ye Chambr by which also it was fired and consumed, as by her confession will appear contrary to ye peace of our Soueraign Lord ye king his crown, & Dignity, ye Lawes of God & this Jurisdiction in ye case made & prouided title fireing howses page 52

We of the Grand Jury doe find this Bill and doe put her upon furder triall JONAS CLARKE In the name of the rest

13 Sept: 1681.

The prisoner at the Barr on hearing of the Indictment Read to hir pleaded to it & Acknowledged hirself to be Guilty of ye fa[ct]

E R S

[*Endorsed*]

Marja Negro Indictmt &c.[1]

Then comes her confession: —

Maria Joshua Lambes Negar Maide upon Confesion accused mr Walkers Negro Man Chefelia by Name and mr pemertons Negro Man

[1] Suffolk Court Files, xxiv. 2023.

Cofee were att Roxbury ye last Night about 10 aclocke thay came there together and m^r^ Wakers Negar sett Dockter swans house afire and m^r^ Pemertons Negar staide under ye fence while ye other sett the house afire. Confessed before mee ANTHONY STODDARD *Comiss*[1]

The action of the Grand Jury thereon is as follows: —

I.

Wee the Grand Jury for our Soueraigne the King doe present & Indict chefelier a negroman servant to Thomas Walker of Boston in the County of Suffolk in New England brickmaker for not hauing the feare of God before his eyes on the 11th of July last in the night was present w^t^h Marja Negro servant to Joshua Lambe of Roxbury was privye to and Active in the firing of sajd Lambs & Swans dwelling houses Contrary to the peace of ou^r^ Soueraigne Lord the King his Croune & dignity the lawes of God & the laws of this Jurisdicon title firing houses:

we of the Grand Jury can not find this Bill

JONAS CLARK In the name of the rest

[*Endorsed*]

abt Walker & Pembertons negroe[2]

II.

Wee the Grand Jury for our Soueraigne Lord the King doe present and Indict Coffee a negro man se^r^vant to James Pemberton of Boston in the County of Suffolk in New England for not hauing the feare of God before his eyes and being Instigated by the diuill on the eleventh of July last in the night w^t^h Maryah Negro servant to Joshua Lambe was present w^t^h hir privie & Active in the Firing of the dwelling houses of sajd Joshua Lambe and Thomas Swans of sajd Roxbury Contrary to the peace of our Soueraigne Lord the King his Croune and dignity the lawes of God & the lawes of this Jurisdiction, title firing houses —

we the Grand Jury can not find this Bill

JONAS CLARKE In the name of the rest

[*Endorsed*]

Cheffallia Negro Indicmt[3]

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[1] Suffolk Court Files, ccxii. 26.559: 4, not dated.

[2] *Ibid.* ccxii. 26.559: 3.

[3] *Ibid.* ccxii. 26.559: 2.

The two negroes escaped the hazards of a trial and the possible sufferings consequent thereon, but they encountered the dangers attendant upon even a "vehement suspicion" of an offence or a crime, and furnish another illustration of the readiness of our forefathers to see that their idea of justice did not suffer though legal conviction, under the strict requirements which they insisted upon, might be impossible.

Cheffaleer negro sentence. =

Cheffaleer negro servant to Tho Walker brick maker now in Goale on suspition of Joyning wth marja negro in Burning of Dr Swans' & [1] Lambs houses in Roxbury in July last The Court on Consideration of the Case Judged it meet to orde^r^ that he be kep^t^ in prison till his master send him out of the Country & then dischardg ye charges of Imp^r^isonment wch if he refuse to doe aboue one moneth the Country Tresurer is to see it donn & when ye chardges be defrajd to returne the ouerplus to ye s^d^ walker.

James Pembertons negro sentenc

The like Judgment & sentenc was declard against Jame^s^ pembe^r^tons negro in all respects as a~~g~~t cheffaleer negro &c [2]

Two depositions in the Case remain : —

I.

Hannah Foster aged about 29 yeares testifieth & saith, that that very night the fire was at Roxbury, I lay at Mr Walkers house in a chamber & about Eleven or twelve aclock in night, I heard, as I supose a negro Grumble to himself, which lay Just over my head, And I testifie I did not sleep at all betwixt that time & the raine wch I supose was between two & three aclock in wch time I heard him with his feet on the floor, and the reason I could not sleep was bec[ause] was something afraid of him, not being used to such, and farther saith not

Taken upon Oath the 16th of 5th mo = [ ] before mee

ANTHONY STODDARD *Com̄[iss]* [3]

II.

Susannah Walker adged 36 yeares Testifieth yt last munday night wch ye fire broke out at Roxbury, little before night I went over to our neighbour Benits, and while I was there one of my children came to me and told me yt our negro was come home and yt he had been a drinking and she did not care to stay at home & desired me to goe

[1] This blank is in the Record.

[2] Records of the Court of Assistants, ii. 138.

[3] Suffolk Court Files, ccxii. 26,559 : 1.

home accordingly I did in a little time after & when I came home she told me he was gon up to bed, then I seeing a Cumbustion or quarrilling wth the Indians before our doore I went out, then I saw the Negro looke out at the garrett window and call out & ask what the matter was wth the Indians, then I went In and I hard him come doune, nor saw him come downe no more that night, and it was about eleven or twelve a clock when we went to bed and farther sayth not.[1]

This is the whole of the tragic story of Maria, so far as the Court Records are concerned. A question of some interest which has been raised is, Was she burned alive, — was the punishment of burning alive at the stake inflicted on a negro woman in Massachusetts in 1681?

The communications referred to all assume that such was the fact, but the evidence on which their authors rely, — a reference to the matter by Increase Mather, and another by Cotton Mather — seems wholly inconclusive, and the inference drawn therefrom is by no means justified. Contemporary information is meagre, if, in fact, it is not wholly wanting. The Court Record upon the precise point is silent; but it shows the issuing of the order for execution on the fourteenth of September, 1681: —

The Court ordered that the Secretary[2] Issue out his warrants to the marshall Gennerall[3] for the three Condemned prisone^rs^ execution on the next lecture day presently after the lecture according to their Sentenc^e^[4] (14 Sep^t^ 81)

There is no return, as is frequently found, of the carrying out of the sentence and the precise mode of execution.

Three offenders, as appears by the record, — the two negroes Maria and Jack, for their respective felonies, and a third, a white man, for another crime — were tried at the same sitting of the Court of last resort, and were executed on the same day, shortly after the trials. The sentence pronounced against the last was

[1] Suffolk Court Files, ccxii. 26.559: 6.

[2] Edward Rawson.

[3] This was John Green of Cambridge who was appointed to office 3 June, 1681 (Massachusetts Colony Records, v. 322) as successor to Edward Mitchelson (*see ante*, iii. 454) whose daughter Ruth he had married. During the Usurpation, Green was superseded in office (1687) by Samuel Gookin, but was re-instated 15 August, 1689. He died 3 March, 1690–91. (See Paige's History of Cambridge, pp. 567, 568, 610.)

[4] Records of the Court of Assistants, ii. 139.

to "be hanged by the necke till you be dead"; and that against the two negroes as appears above in the Records.

What is there to give rise to any question, or to lead to the opinion that the woman was actually burned alive?

A passage in the Diary of Increase Mather has been cited to support that opinion; and, apparently, it is the only contemporaneous reference to the case. The passage is as follows: —

[1681. September] 22. There were 3 persons executed in Boston An Englishman for a Rape. A negro man for burning a house at Northampton & a negro woman who burnt 2 houses at Roxbury July 12 — in one of wch a child was burnt to death. *The negro woman was burned to death* — the 1st y^t^ has suffered such a death in N. E.

It occurs among the extracts from Mather's Diary made by Dr. Belknap a century ago, and now in the possession of the Massachusetts Historical Society, and is here copied verbatim from his manuscript. The extracts were printed in the Report of Mr. Charles Deane on the Belknap Donation.[1] The original Diary is not now to be found. In those portions of the Diary, so called, now in the Library of the American Antiquarian Society, the only entry for that particular date is a memorandum of what Mather had been reading that day. The 1681 entries are the only ones covered by the interleaved almanacs, and Dr. Belknap would seem to have copied from some more elaborate record, selecting perhaps such items here and there as interested him.

Cotton Mather's Diary in the Library of the Massachusetts Historical Society, contains no entries between the nineteenth of September and the first of October of that year; and no other diaries have been found containing any allusion to the matter.

Setting aside any legal interpretation of the sentence pronounced against Maria, to be considered hereafter, is there, upon its face, anything to indicate, necessarily or naturally, a direction that she was to be burned at the stake while alive? The sentence is to "be burnt," not to "be burnt to death," — to be taken "to to the place of execution & there be burnt." Is it a forced interpretation, that the burning was to come after the execution, and is not this construction strengthened by the clause in Jack's sentence, "burnt to ashes in the fier wth Maria negro"? Is

[1] 1 Proceedings of the Massachusetts Historical Society for March, 1858, iii. 317–320.

a new and barbarous sentence to be inferred when another meaning is possible, and when there is nothing explicit in the terms to the contrary?

The passage from Mather's Diary, as quoted, seems on its face explicit, and as such to be depended on, but there is at least one statement in it equally important and definite which, in point of fact, is unquestionably erroneous: —

"in one of w^ch^ [houses] a child was burnt to death."

So far as found, there is nowhere else any mention or suggestion of such an occurrence. Nothing appears in the Court Records or in the papers in the Court Files; there is not even a suspicion or a rumor mentioned, or a scrap of positive evidence direct or indirect. On the other hand, the negative evidence seems conclusive. The indictment of Maria was not for murder, but under the law against "firing of houses." So were the indictments framed against the two negroes accused by her as accomplices. But, taking Mather's language as it stands, it does not necessarily follow that the woman was burned alive. The expression "burnt to death" is common in sentences in England and in references to them, when, unquestionably, the burning was after execution; and Mather, knowing this, as of course he did, may have meant no more. Then, too, the words "the 1st y^t^ has suffered such a death in N. E." are not inconsistent with the mere noting of the first instance of the adoption of a practice or procedure borrowed from the mother country; otherwise, the brevity of the statement and the absence of any comment or reflection is somewhat striking.

During the Colonial period there appear on the Court Records now extant — those from 1643 to 1673 being missing — only two other instances of death sentence in the case of women, one in 1638 for "the vnnaturall & vntimely death of her daughter, . . . to bee hanged;"[1] and one in March, 1643–44, "condemned to death" for adultery.[2] In 1691, sentence was ordered for infanticide,[3] but was not pronounced till 1693,[4] — in the days of the

[1] Massachusetts Colony Records, i. 246.

[2] Whitmore's Biographical Sketch of the Laws of the Massachusetts Colony, lxii.

[3] Records of the Court of Assistants (1673–1692), ii. 262.

[4] Records of the Superiour Court of Judicature, under date of 25 April, 1693.

Province. In New England the execution of a capital sentence, whether in case of man or woman, seems to have been by hanging.

In England, in the earliest times, for arson "the punishment was death by burning, and we are able to vouch a case [1] from King John's day in which the punishment was inflicted, but the fully developed common law substituted the gallows for the stake." [2] The English law, in certain cases, made a distinction between the punishments of male and female offenders, and in the sentences pronounced against them. A distinction also held as to claiming benefit of clergy.[3] The distinction in the mode of punishment came out sharply in the case of high treason.[4] So also in petit treason.[5] The existence of this distinction in the administration of the laws in England, the reasons assigned for it, and the usual mitigation of the apparent barbarity of the sentence in the case of women by the practical method of its execution, are clear.

[1] Gloucestershire Pleas, pl. 216.

[2] Pollock and Maitland's History of English Law, ii. 492.

[3] This is very well summarized in Laws respecting Women, London, 1777: —

This benefit of clergy does not extend to women; for by an express act of parliament it is directed, that women convicted . . . . . ; and by a subsequent statute (3 & 4 W. & M. c. 9), a woman being convicted of an offence for which a man may have his clergy, shall suffer the same punishment that a man shall suffer that has the benefit of his clergy allowed; . . . . but the benefit of this Statute can be pleaded only once (4 & 5 W. & M. c. 24, s. 13). Such was the law until the beginning of the present century (pp. 342, 343). Upon the whole then it appears, that women cannot claim the benefit of their clergy, but the benefit of the statute, which is equivalent to it. Before the passing of which law, women were entitled to no mitigation of the punishment for felonious offences (p. 343).

[4] The same authority says: —

The judgment against a woman for high treason is not the same as against a man traitor, . . . but she is to be drawn to the place of execution and there burnt. For the public exhibition of their bodies, and dismembering them, in the same manner as is practised to the men, would be a violation of that natural decency and delicacy inherent, and at all times to be cherished in the sex. And the humanity of the English Nation has authorized by a tacit consent, an almost general mitigation of such part of their judgments, as savours of torture and cruelty; a sledge or hurdle being allowed to such traitors as are condemned to be drawn; and there being very few instances (and those accidental and by negligence) of any person being embowelled or burnt, till previously deprived of sensation by strangling (p. 344).

[5] Blackstone states that, "the punishment of petit treason in a man is, to be drawn and hanged, and in a woman to be drawn and burned" (Commentaries iv. 204). And he goes on to say that "the usual punishment for all sorts of treasons committed by those of the female sex" is death by burning. This continued till the statute 30 George III., which changed the penalty to hanging.

Maria was not executed for petit treason or for murder, but for a crime punishable under the Colonial laws with death.[1] May it not well be that the Court, for reasons good and sufficient in their judgment, saw fit, however observant usually of custom and precedent, to deviate in the case of the two negroes from old procedure, and adopt English forms in the sentence and the mode of its execution? The crime seems to have been on the increase, as Mather notes in his Diary, in July: —

"Several houses in Boston and Roxbury set on fire at different times by negroes,"

and some penalty *in terrorem* may have been judged expedient or necessary. There would seem to have been no reason for dealing more severely with Maria than with Jack. Jack's offence, as set forth in the Record, would seem to have been criminal carelessness rather than premeditated crime, but local tradition and history go to show circumstances of peculiar atrocity and premeditated murder though frustrated in the event.

The legality of the sentence has been questioned, by a most eminent authority,[2] but an argument in favor of its validity seems certainly maintainable.

If the woman was actually burned alive, — an event startling and unprecedented in New England history, — it seems strange and well nigh inconceivable that Increase Mather indulged in only that brief mention in his Diary, and did not improve the occasion by at least a sermon, as he did in the case of Faevor and Driver in 1674, and later of Morgan in March, 1685–86, and on another occasion in 1698; and that Cotton Mather, who almost never failed to chronicle, or at least to note, any startling occurrence or "Remarkable Providence," is wholly silent at the time. Furthermore, John Dunton, in a letter from Boston, 25 March, 1686, gives

[1] And if any perſon . . . . . ſhall . . . wittingly, and willingly, and felloniouſly, set on fire any *Dwelling Houſe*, ... the party or parties vehemently ſuſpected thereof, ſhall be apprehended by Warrant from one or more of the Magiſtrates, and committed to Priſon, there to remain without Baile, till the next Court of Aſſiſtants, who upon legal conviction by due proof, or confeſſion of the Crime, ſhall adjudge ſuch perſon or perſons to be put to death, ... [1652.] (Massachusetts Colony Laws, edition of 1672, p. 52).

[2] Mr. Abner C. Goodell, in 1 Proceedings of the Massachusetts Historical Society for March, 1883, xx. 149, 150.

a very elaborate account of the execution of Morgan, a few days before, which he sends as "a Piece of News, for there has not (it seems) been seen an Execution here this seven years. So that some have come fifty miles to see it;"[1] and a rather full report of the "three Excellent Sermons . . . . preached before him [Morgan] before his Execution,"[2] by the two Mathers and Joshua Moody. From this it would seem that the execution of 1681 had not made any deep, or at least abiding, impression on the community, or left any sharp traces in its local memory, or had in itself any peculiarly remarkable features.

There is a passage in Cotton Mather's Pillars of Salt[3] which refers to the executions of 1681: —

ON *Sept.* 22. 1681. One *W. C.* was Executed at *Boston* for a Rape committed by him, on a Girl that liv'd with him; though he had then a Wife with Child by him, of a Nineteenth or Twentieth Child.[4]

. . . . . .

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[1] John Dunton's Letters from New-England (Prince Society's Publications), p. 118.

[2] *Ibid.* p. 121 and *note.*

[3] Magnalia (1702), Book vi. p. 40. See also Sibley's Harvard Graduates, iii. 69, 70, where may be read the full title of this discourse which was first printed, separately, in Boston in 1699.

[4] Mather's reference is to William Cheney (see *ante*, iii. 62) of Dorchester. He was son of William Cheney, the emigrant, of Roxbury and married Deborah (born 24, baptized 30 May, 1641), daughter of Deacon John Wiswall of Dorchester, who removed to Boston and became Ruling Elder of the First Church. Notwithstanding his good social connections, Cheney was neither a valuable nor respected member of society, as may be seen in Tilden's History of Medfield, pp. 343, 344, where his seven legitimate children are enumerated —not nineteen or twenty as Mather's fertile brain imagines — the last of whom, a posthumous child, lived less than three weeks (Boston Record Commissioners' Reports, xxi. 16, 18, 30). The facts concerning the crime for which Cheney was hanged are set out in the Records of the Court of Assistants, under date of 6 September, 1681 (ii. 139[2]), and in Suffolk Court Files, xxiv. 2024. Cheney's remarkable will, made the day before his execution and in recognized anticipation of it, contains valuable particulars, was witnessed by Hudson Leverett and two others, and was proved 29 September, 1681 (Suffolk Probate Files, No. 1189). His widow married Ebenezer Williams, Senior, of Dorchester, where she died, 26 February, 1717-18 (Boston Record Commissioners' Reports, xxi. 130; Suffolk Probate Files, Nos. 1617, 3950; Suffolk Deeds, xxi. 571, 572; and New England Historical and Genealogical Register for 1851, v. 90, 468). We do not find these facts in Pope's Cheney Genealogy, p. 42.

When he came to the Gallows, and saw Death (and a Picture of *Hell* too in a Negro then burnt to Death at the Stake, for burning her *Master*'s House, with some that were in it,) before his Face, never was a Cry for *Time! Time! A World for a little Time! The Inexpressible worth of Time!* utter'd with a more unutterable Anguish.

This appears to be his first mention of the executions, and that eighteen years after the event. As evidence, its weight is somewhat affected by the interval of time, and by at least one error in its statements. The lurid picture seems hardly to have required a living victim for its completeness.[1]

There was the case of Phillis, in 1755, before referred to, and some cases of burning in Virginia, South Carolina, and New York are cited by Fiske[2]; but with these we are not concerned.

The material here presented seems to be all that is now attainable relating to the case of Maria, — at least, it is all that has been found. Each reader will draw his own inferences from it, and these inferences, very likely, may differ; but it is submitted that the conclusion reached in this paper is not without support both in evidence and in reasoning.

Mr. Albert Matthews said: —

Mr. President, — The point raised by Mr. Noble is an interesting one. The subject of the burning alive of negroes is curious, and one in regard to which it is not easy to obtain evidence. Several years ago I became interested in the matter and took rather extensive notes. My recollection is that, in addition to this case of Maria in 1681, there was also another case in Massachusetts in 1755; that there were cases in New York in 1708, 1712, 1741, 1775; in New Jersey in 1730, 1739, 1741, 1750, 1752; in Virginia in 1746; and in South Carolina in 1769. There is one marked distinction between these instances of burning alive during the Colonial period and the burnings and lynchings which, unfortunately, have been so common during the past half century

[1] The passages from the two Mathers were quoted in the communications in The Nation, — the first attributed, however, to the wrong Mather, and the other so curiously and carelessly misquoted, as, on its very face, to fail of sustaining the correspondent's contention.

[2] Old Virginia and her Neighbours, ii. 265 *note*.

or so. I apprehend that these last have been merely the lawless acts of mobs. In the Colonial period, on the contrary, in every instance, the negro was burned after due trial and in accordance with judicial decision. In the account of the South Carolina case, in 1769, which I ran across in a Boston newspaper, it was declared that a negro man and a negro woman "were burnt alive, on Work-House Green [Charleston], having been tried some short time before, agreeable to the Negro-Act, and convicted of administering poison."[1] My curiosity being aroused, I searched the laws of South Carolina, but was unable to find any which specified that this particular punishment should be inflicted. There was, however, an act passed in 1751 declaring that all negroes administering poison, procuring poison, or privy "to the administering of any poison," were felons and should "suffer death, in such manner as the persons appointed and empowered by the Act for the better ordering and governing negroes and other slaves in this Province, for the trial of slaves, shall adjudge and determine."[2] Thus the mode of punishment was left to the discretion of two justices of the peace and three freeholders. But were these Colonial cases genuine instances of burning alive? I think the almost universal opinion is that they were; and herein lies the importance of Mr. Noble's suggestion. Mr. Noble seems to have shown that there is doubt in the case of Maria, and that perhaps she was first strangled and then burned. If this point is well taken, and if the same reasoning applies in the other instances, we shall perhaps be able to relieve our ancestors of the stigma of having imposed the sentence of burning alive as a judicial punishment.

The Rev. EDWARD HENRY HALL of Brookline and Mr. JOHN GORHAM PALFREY of Belmont were elected Resident Members.

[1] Boston News-Letter, No. 3440, 7 September, 1769, p. 2/2. The passage was sent to Mr. P. A. Bruce, by whom it was printed in the Virginia Magazine of History and Biography for January, 1897, iv. 341.

[2] South Carolina Statutes at Large, 1840, vii. 422.

FEBRUARY MEETING, 1900.

A STATED MEETING of the Society was held at No. 25 Beacon Street, Boston, on Wednesday, 21 February, 1900, at three o'clock in the afternoon, the President, EDWARD WHEELWRIGHT, in the chair.

After the Records of the January Meeting had been read and approved, the CORRESPONDING SECRETARY reported that letters had been received from the Rev. EDWARD H. HALL and Mr. JOHN GORHAM PALFREY accepting Resident Membership.

Mr. GEORGE PARKER WINSHIP, a Corresponding Member, was present.

Mr. HENRY H. EDES offered the following Minute, which was unanimously adopted by a rising vote: —

The members of The Colonial Society of Massachusetts, assembled on the eve of the birthday of Washington, wish to place on record an expression of the sympathy which they felt for their distinguished associate the Honorable EDWARD J. PHELPS, and his family, during his recent severe illness, and of the satisfaction with which they have learned of his convalescence.

The members of the Society embrace this opportunity to give expression to their deep sense of the exalted character of their associate, whose public services, private virtues, and profound learning have received the deserved homage of his countrymen.

Resolved, that an attested copy of this Minute be sent to Mr. Phelps.

The PRESIDENT then said: —

It is my melancholy duty to announce the death of our esteemed associate, the Rev. EDWARD GRIFFIN PORTER, on the fifth of February, at his home in Dorchester, after a very short illness, at the comparatively early age of sixty-three.

Mr. Porter was elected a Resident Member of this Society,

15 March, 1893, and was soon after appointed a member of the Committee of Publication. This position he continued to hold until his death.

He was a very constant attendant at our monthly meetings, at which he often read interesting papers and took an active part in the discussions. At the December Meeting in 1893, in the discussion following the presentation of two documents by Mr. G. Arthur Hilton, he made remarks, in reply to Mr. Abner C. Goodell, Jr., on the so-called Boston Massacre and the Boston Tea Party.

At the April Meeting in 1894, he gave a most interesting account of the events which took place at Lexington and Concord in April, 1775, illustrated by a large map which he had prepared of the localities. This account was entirely extemporaneous. At the April Meeting of 1895, he spoke again on the same topic and had announced his intention of continuing his narrative at the April Meeting of the present year, when he should be able to exhibit documents, newly discovered, bearing upon the subject. He had also promised to reduce to writing all that he had said, or should say, on these three occasions in order that the whole might be printed together in our Transactions. His long residence at Lexington, as Pastor of the Hancock Church, had given him abundant opportunity of becoming thoroughly acquainted with the locality and its history.

At the April Meeting of 1895, he also paid a tribute to the memory of our late Vice-President, Leverett Saltonstall. At the Annual Dinner in November, 1897, he made a speech in behalf of the Gould Memorial Fund.

At the December Meeting in 1897, he gave an account of the visit to Boston of Lieutenant-General George Digby Barker, of the British Army, and Governor of Bermuda, whom he accompanied to Bunker Hill and other places of historic interest; he also gave a sketch of the discovery and identification of the Diary of Lieutenant Barker, who was present with the British troops at Lexington, Concord, and Bunker Hill, and who proved to be the grandfather of his guest, General Barker.

These are only a few of the papers and remarks contributed to our Transactions by Mr. Porter. He seldom attended a meeting at which he had not something to say, and he said it with an ease

and fluency and felicity of expression no less remarkable than his accuracy of statement and his extraordinary memory for facts and dates.

Born in Boston, he took the keenest interest in its ancient history, knew all the lanes and alleys of the old North End, gathered from the oldest residents the history and traditions of its Colonial buildings, private and public, and embodied the results in that delightful book, — through which I first knew him by name, — Rambles in Old Boston.

I first met him on hearing him deliver a lecture, or rather talk, before a social club at a private house, when he gave an account, illustrated by maps, plans and views, of a visit he had made to Alnwick Castle, the residence of the Percy family, — Dukes of Northumberland. This was some years before he joined this Society, perhaps before The Colonial Society of Massachusetts came into existence. The story of his hospitable reception, the permission given him to examine the archives of the family, his discovery of papers concerning the Lord Percy who covered the retreat of the British after Concord Fight, papers which had been previously overlooked, was delightful. He must have made a most favorable impression upon his host, for on his departure the Duke promised him a copy of a portrait of the Lord Percy best known to Americans, and accordingly sent it to him, handsomely framed, after his return to America. Mr. Porter, with the Duke's approval, presented it to the Town of Lexington, where it may now be seen in the Town Hall.

The loss of Mr. Porter creates a void in our Society which will long be felt. Not by any means an old man, he seemed to have the promise of many years of usefulness before him. He appeared, in fact, younger than he really was. His tall, spare figure, his dark hair, as yet unbleached, his alert, quick motions, betokened a youthful vivacity of body as well as of mind. His genial temperament, his courtesy, unblemished by the least approach to stiffness and never degenerating into undue familiarity, the patience with which he listened, no less than the ease with which he spoke, made him a most agreeable companion.

Mr. Samuel Swett Green spoke at length of his friend and classmate, especially of Mr. Porter's college life, his

genial social qualities, his fondness for society, his love of children, his public spirit, his interest in historical research, and his recondite knowledge of the antiquities of Boston and the events of the nineteenth of April, 1775.

Mr. ROBERT N. TOPPAN, also a classmate of Mr. Porter, spoke of his absolute sincerity as one of his most prominent characteristics.

Mr. TOPPAN then announced the formation of the —

ORDER OF THE DESCENDANTS OF COLONIAL GOVERNORS PRIOR TO 1750.

The order was founded in January, 1896, by Miss Mary Cabell Richardson of Covington, Kentucky. The present Governor-General is Mrs. Henrietta Dana Skinner of Detroit, Michigan. There are now eighteen branches, including one in Canada. The Chairman of the Massachusetts branch is Mrs. Prentiss Webster of Lowell.

"The order recognizes as Colonial Governors all persons invested with supreme executive authority in the government of Colonies comprised within the thirteen Colonial States, under whatever title that authority was exercised, and whether derived from the Crown by appointment, from the people by election, from another Governor or from a chartered Company by commission."

Membership is honorary and by invitation only.

Mr. WORTHINGTON C. FORD remarked upon Washington's views on many public matters and showed how modern some of them were. His canal policy foreshadowed the existing railway system, which connects the Atlantic with the West; and his methods of agriculture anticipated the change which came in Virginia farming after the close of the Revolutionary war. Mr. Ford portrayed Washington as the scientific farmer far in advance of his time. He also made the following communication: —

COLONIAL AMERICA.

In determining the economic position and capacity of a nation, the natural environment of the people is of quite as great importance as the artificial, which is itself developed from and largely

dependent upon, the natural. A desert may with assiduous care and labor be changed into a garden; latent powers of production may be developed and combined in almost endless variations to serve a useful purpose. But not only must the materials be at hand, — the intelligence to work the change must also be present and actively exerted. The climate, the nature of the soil and relative situation, determine the productiveness of a region, and the labor of man by controlling and directing these agencies, by combining and assimilating forces, may develop almost indefinitely their capacities, producing an economy that would before have seemed impossible.

Such a co-operation of productive factors, resulting in an economic development of almost marvellous rapidity and magnitude, a history of production in the United States would show. An outline, so far as is essential to the purpose of this work, will be here attempted, necessarily imperfect, because subordinated to other ends.

The natural capacities of America were great even under the most imperfect instruments. A writer contemporary with the Revolution, estimated the area of the colonies to be 102,000 square miles, or about the area of the British Isles.[1] The English area of settlement at that time extended from the coast of Maine to Georgia, or between 45° and 31° north latitude, but was confined for the most part to a narrow strip of territory along the coast between the ocean and the Appalachian range, where a river supplying ready means of penetrating inland plantations or farms would be found; but few settlements worthy even of the name of town existed in the interior, except where the hostile attitude of the Indians made such an aggregation necessary for defence, or where a peculiarly rich trade with the Indians centred. In either case, these outlying posts were merely stockaded forts. No river penetrated beyond the Blue Ridge range in the South, and none beyond the present western limits of New York in the North; and this constituted another natural restriction upon the area of settlement.

The territory ceded by Great Britain under the definitive treaty of peace in 1783 embraced about 830,000 square miles, of which less than half could be assigned to the original thirteen colonies. Blodget, one of the earliest of American statisticians, estimated

[1] Mitchell, Present State, p. 133, *note*.

that the improved lands in 1774 did not exceed 20,860,000 acres, or less than 33,000 square miles, a small part of the settled area.[1] In New England more than one-half of the land was in cultivation in 1790, and in Connecticut scarcely one-tenth remained in a wild state.[2] In New York only one-fifth of the country could be said to be improved,[3] and in Virginia and Maryland, devoted as they were to the cultivation of a very profitable crop, only about one-tenth could be so designated.[4] The insalubrity of the Carolinas, the sparseness of the population, the system of land tenure, the methods of agriculture and the cheapness and abundance of land, offered further obstacles to an intensive and careful cultivation of the soil in the Southern colonies.

The population of the colonies was estimated in 1754 to have been about 1,500,000 souls; at the outbreak of the Revolution it had nearly doubled through immigration and natural increase, and more especially through natural increase. There were few checks to early marriages and the rate of increase was favored in every way. The population more than doubled itself in every twenty-five years, no account being taken of the immigration, which, however, was not large, as the East and West Indies were attracting the larger part of emigrants from European countries.[5] The war checked the growth, for in 1790 the population was only 3,929,326, of which nearly 700,000 were slaves.

As the distribution of population did not materially change

[1] See the Public Domain; Report of the Public Land Commission, 1883, p. 10. General Walker makes the settled area in 1790 only 240,000 square miles, though many settlements had been made beyond the mountains (Economica, p. 60).

[2] Noah Webster, Essays, p. 365.

[3] Tryon to the Earl of Dartmouth, 11 June, 1774 (New York Colonial Documents, viii. 441).

[4] Burnaby, and Webster's Essays, l. c.

[5] The population of Massachusetts increased 8,310 yearly before the Revolution. Adam Smith, Malthus, and Franklin accepted the estimate given in the text. Between 1700 and 1719, an aggregate of 105,972 persons emigrated to the Dutch East Indies; between 1747 and 1766, 162,598 (Saalfeld, Geschichte des holländischen Kolonialwesens in Ostindien, ii. 189). Franklin, in 1751, estimated the aggregate number of English inhabitants in the North American colonies at 1,000,000, of whom only 80,000 had immigrated into the country. The Germans came in larger numbers, nearly 20,000 going to Pennsylvania in 1749 (Kalm, i. 58).

between 1775 and 1790, the census of the latter year may be taken as a guide. In New York, Pennsylvania and South Carolina, the predominant "group" was from two to six to the square mile; while another group, from eighteen to forty to the square mile was found chiefly in Delaware, Maryland, Massachusetts, New Jersey and Virginia. The coast of Maine was dotted in 1776 with forts, and at the head of the Hudson River, on the highway to Canada, settlements existed. But a line drawn southeast from the foot of Lake Champlain to the head of the Savannah river would include more than what was then the inhabited parts of the British colonies in North America.

The natural conditions which the first colonists from Europe found on the eastern shore of North America, were peculiarly adapted to the foundation and rapid development of a rich and prosperous empire. The climate was nearly the same as that of Europe; the soil when prepared for agriculture was for the most part rich and virgin, for only a small proportion of the Indians had attained the village stage where the tillage of the ground had in a measure superseded the chase.[1] From the ocean and rivers the bulk of their food was still obtained. The physical formation of that part of North America which was settled before the Revolution gave a diversity of climate that, taken in connection with the natural qualities of the soil, allowed of a greater variety of crops than was then afforded by Europe. The winters were longer, yet the shorter summer was so nearly like the summer of Europe that all the plants and animals of the older continent could be cultivated and reared on the new continent with almost equal success.

The soil, however, was by no means ready for immediate use. The region north of the Susquehannah had been affected by glacial action (drift), and the resulting soil was of a clayey nature, abounding in stone, difficult to subdue and render fit for continuous cultivation. The face of the country was covered with dense forests which must be cleared before planting could begin, and against which the Indians with their feeble appliances had proved almost powerless. The contest between man and nature

[1] Maize was the principal plant cultivated by the Indians. They also raised squash and pease (Kalm, i. 139, 140).

was severe and continuous, and the great obstacles to be met and overcome, the limited means for removing them, controlled the course of settlement, and in the beginning rendered the progress of the colonies slow and painful. The poorer soils, narrow strips lying along the banks of rivers and the shore, where cultivation was comparatively easy and access to the ocean ready, were first occupied; and had it not been for maize, a crop that yielded a high return and was more reliable than European cereals, the subsistence needed and obtained in other ways would hardly have proved sufficient to maintain the colonists while engaged in the severer tasks of clearing and subduing the richer lands in the interior. Two months of labor were required to make each acre of this region fitted for effective tillage;[1] only in Virginia and Maryland was there found a soil on which a crop could be at once grown.

The colonies may be divided according to their physical characteristics into three classes. In the New England provinces the soil was little adapted for profitable agriculture, furnishing barely sufficient food for its inhabitants. The population found employment in shipping and fishing, developing a carrying trade and a commercial interest which compensated for the comparative niggardliness of nature and formed the peculiar feature of that section of the country at the period of the Revolution. In the middle colonies the soil lent itself more readily to cultivation, and cereals early became an article of export; while in Virginia and Maryland the fertility of the soil and the commercial policy of England made tobacco the most valuable staple of culture and export. To the South, the swamps of the Carolinas, destructive to the white man but capable of being exploited by slave labor, were devoted to rice, and as in the tobacco colonies, imposed upon the people a system of slavery which cramped their growth save in narrow and increasingly unprofitable lines, and frittered away the natural wealth of the land under an economic régime which has never proved successful and never compatible with progress in civilization.

In 1766 Franklin described the body of the people in the colonies as farmers, husbandmen and planters. Agriculture was the chief pursuit of the country; its prosperity and very existence were dependent upon farming; its commerce and relations with

[1] Professor Shaler.

other peoples were based upon the products of the soil, and the kindred industry — the fisheries. By agriculture alone could a market be commanded in Britain itself. All else was subordinated to and controlled by the results obtained from the soil.

It was very natural that land should be the chief form of wealth, for it was the most productive agent at hand and that to which all the labor and capital either created and saved within the colonies, or coming to them from Europe, turned for employment. This, said Adam Smith, was the principal cause of the rapid progress of the dependencies to wealth and greatness.[1] The terms upon which lands could be obtained were inducements to settlement. In Pennsylvania, where the soil was readily brought into cultivation and where the liberal administrative system offered the most immediate advantages to the immigrant, land could be purchased for £5 a hundred acres, and one penny sterling per acre quitrent. In New York and New Jersey crown lands were sold for fifty cents or one dollar an acre, and the price was about the same in the New England colonies. In the Southern provinces lands were given away in limited tracts to settlers, but could be purchased at almost nominal prices. Eddis said that the rich lands of Maryland could be bought for about seventy-five cents an acre. In 1774, according to Blodget's estimates, the average price of cultivated land throughout the colonies was two dollars and a half an acre; and of lands in their natural condition, thirty-five cents an acre. Generally speaking, real estate was valued at only seven years' purchase.[2]

The abundance and cheapness of good land, and the ease and notoriety with which it was obtained and transferred, rendered the introduction of feudal tenures and feudal ideas of the nature of real property impossible. In the Charter of the Massachusetts Bay Company (1628) it was provided that lands should be held "in free and common socage, and not in capite or by knight service;" and before the Province Charter of 1691 was issued, all feudal tenures had been swept away in Great Britain itself.[3] Feudal vassalage could not take root in any of the colonies, and

[1] Wealth of Nations, i. 371. All my references to this work are taken from the edition of Prof. Thorold Rogers.

[2] Thirty years in England (Wealth of Nations, ii. 196).

[3] 12 Charles II.

leasehold estates were almost totally unknown. The law of primogeniture was recognized in some of the colonies as being agreeable to the law of nature and the dignity of birthright. Rhode Island, though one of the most democratic of the colonies, admitted the systems of entail and primogeniture, as did Virginia, the most aristocratic of the colonies. In some cases primogeniture was not formally abolished until some years after the Revolution,[1] while estates tail lingered many years after.

The feature of the land policy of the colonies, by which any immigrant could look forward to owning a portion of the soil and developing its capacities for his own benefit, obviated the occurrence of that narrow dependence on land which in other countries resulted in serfage, tenants *adscripti glebæ*. The colonists, except when "indented" for a term of years, were free to come and to go, and the absence of restraint exerted a lasting influence upon the domestic economy of the northern and middle colonies. The equal distribution of property in those provinces tended best to encourage the full and free development of economic powers. There was no glaring inequality between rich and poor; the situation was that which pleased Rousseau: no citizen was so rich that he could buy the others, and no one so poor that he might be compelled to sell himself. Burnaby travelled 1200 miles in New England and the Middle colonies without meeting a beggar. Even in Boston, where the profits of a lucrative trade centred, fortunes were moderate, and Burke thought there were not two persons in either Massachusetts or Connecticut who could afford to spend £1000 a year away from their estates.[2]

The "almost universal mediocrity of fortune" that prevailed in America was regarded as a happy situation, preserving the people from idleness and its consequent errors.[3] Most of the people cultivated their own lands, or followed some handicraft or trade, and so nearly every man was a producer. Franklin, in an essay intended to set the true condition of America before intending and too hopeful emigrants from Europe, described it as "the land of labor, and by no means what the English call *Lubberland*, and the French *Pays de Cocagne*, where the streets are said to be paved with

[1] In Connecticut in 1792; in Pennsylvania in 1794.

[2] Present State of the Nation.

[3] Franklin, Works, viii. 173.

half peck loaves, the houses tiled with pancakes, and where the fowls fly about ready roasted, crying, *Come eat me!*" A mere man of quality, he thought, would be despised and disregarded. "The husbandman is in honor there, and even the mechanic, because their employments are useful."

The general distribution of land tended to a general distribution of political power, for land and power are almost inseparable. The farmer of the colony was a freeholder and had early established his privilege, if not his right, of controlling local concerns.

In describing landholding in America, Story says, —

"The tenants and occupiers are almost universally the proprietors of the soil in fee simple. The estates of a more limited duration are principally those arising from the acts of the law, such as estates in dower and in curtesy. Strictly speaking, therefore, there has never been in this country a dependent peasantry. The yeomanry are absolute masters of the soil on which they tread, and their character has from this circumstance been marked by a jealous watchfulness of their rights, and by a more steady resistance against every encroachment, than can be found among any other people, whose habits and pursuits are less homogeneous and independent, less influenced by personal choice, and more controlled by political circumstances." [1]

The Southern colonies were under a very different social régime, and the difference between rich and poor, even apart from landowner and slave, was greater than in the Northern colonies. The opulence of the planters, more apparent than real, contrasted sharply with the poverty of the whites who owned neither land nor slaves, who had no regular occupations, and led a precarious existence. The prevalence of slave labor discouraged the introduction of free labor and of those manual operations which such labor can pursue. The planter was generally deeply in debt. The scarcity of capital, and the large operations of the planter required much capital, induced him to look to English bankers and merchants for his needs. His lands were purchased and cleared with foreign capital; it was with such advances that his slaves were bought, the crop planted, garnered, and finally transported to market. The greater share of the carrying trade was conducted by the capitals of merchants residing in Great Britain,

[1] Commentaries, i. 121.

and even the tobacco warehouses in Virginia and Maryland were owned by British factors.[1] This did not prevent the planter from seeking to gratify his expensive tastes, for he could mortgage his future crops, and run the risk of failure through a bad crop, a sickness among his slaves, or a failure in the slow machinery of colonial trade, when the English factor might intervene and deprive him of his estate.[2]

The poor settler was lazy and shiftless, having no interests to subserve and intent only upon satisfying his immediate wants. Among the whites of Virginia Chastellux found the first evidences of poverty he had met. In such a population the habit of saving was undeveloped and real wealth, apart from land and slaves, out of the question. Large plantations, rudely cultivated so as to waste their fertility, costly labor, and spendthrift habits were not elements of success. Adam Smith noted that no such wealthy planters came from the tobacco, as from the sugar colonies. Good management and foresight did amass large fortunes and estates; but regarded as a whole the southern people were poorer than those of New England, in spite of the show and outward glitter their habits induced them to make.

Notwithstanding the almost universal prevalence of agricultural pursuits, there was no systematic study of the science of farming, and the methods employed were, even for that day, slovenly and wasteful. No attention was given to husbanding the benefits of nature, and the settlers were more likely to imitate the Indians in the arts of destruction than in the art of preservation. If a forest was to be cleared, it was burned; or the trees were girdled and left to decay where they stood. A field once cleared was worked into comparative sterility by a succession of the same crops, and no attempt was made to maintain or renew its fertility other than by the rude and partial method of allowing an exhausted field to lie fallow. The original richness of the soil was such that for a num-

[1] Adam Smith, Wealth of Nations, i. 371.

[2] I am aware that Adam Smith asserts that he "had never even heard of any tobacco plantation that was improved and cultivated by the capital of merchants who resided in Great Britain" (Wealth of Nations, i. 167). As an object of speculative investment a tobacco plantation was not so desirable as a sugar field, and it was as a speculation that Adam Smith treated the question. The involved condition of the planters of the tobacco colonies is beyond all doubt. See Burnaby's Travels, p. 19.

ber of years crops could be raised from it without impairing its productiveness; and when it showed signs of failing it was cheaper and easier to plough up a new field and abandon the old to regain strength as best it could. The system of cultivation was thus extensive, and not intensive; certain lines of production were worked to the utmost, and while some of the natural advantages of the soil were utilized under such a system, all others were sacrificed. In fact land was too cheap to make even a moderate expenditure in improvements profitable.

The methods of cultivation were nearly the same after as before the war: —

"Unproductive fallows precede crops; after crops, the land is generally given up for a number of years to weeds and poor natural grasses, until it shall come into heart again; the husbandman in the mean while, employing his labors upon his other fields in succession."[1]

General Warren said, before the American Academy of Arts and Sciences, that a man in America, —

"that farms 150 acres, would think a stock of £100 sufficient. One miserable team, a paltry plough, and everything in the same proportion; three acres of Indian corn which require all the manure he has; as many acres of half-starved English grain from a half cultivated soil, with a spot of potatoes, and a small yard of turnips, complete the round of his tillage, and the whole is conducted perhaps by a man and a boy, and performed in half their time; no manure but the dung from the barn, which, if the heaps were not exposed to be washed away by the winter rains may amount to fifteen or twenty loads; and if they are so exposed, to much less, without any regret to the farmer. All the rest of the farm is allotted for feeding a small stock. A large space must be mowed for a little hay for winter; and a large range for a little feed in summer. Pastures are never manured, and mowing lands seldom; but nothing will give a clearer idea of the different management than the following facts; in England rents are high and labor low; in America it is just the reverse, rents are low and the rate of labor high; yet in England, it would be difficult to find an instance where the labor did not amount to more, and in many instances, to perhaps three times as much as the rents; and in America, as difficult to find as instance where the labor on the farm equalled the rent."[2]

[1] American Museum, ii. 447. See Kalm, i. 102, 185, 186.

[2] American Museum, ii. 344. Wealth of Nations, ii. 145, 146.

While this description applied more especially to the farming of the New England colonies, it would apply also to the general system used in the Southern and Middle colonies, with the possible exception of Pennsylvania.

"There is, perhaps, scarcely any part in America, where farming has been less attended to than in this State [Virginia]. The cultivation of tobacco has been almost the sole object with men of landed property, and consequently a regular course of crops has never been in view. The general custom has been, first to raise a crop of Indian corn (maize), which according to the mode of cultivation, is a good preparation for wheat; then a crop of wheat; after which the ground is respited (except from weeds and every trash that can contribute to its foulness,) for about eighteen months; and so on, alternately, without any dressing, till the land is exhausted; when it is turned out, without being sown with grass seeds, or any method taken to restore it; and another piece is ruined in the same manner. No more cattle are raised than can be supported by lowland meadows, swamps, &c., and the tops and blades of Indian corn; as very few persons have attended to sowing grasses and connecting cattle with their crops. The Indian corn is the chief support of the laborers and horses. Our lands, as mentioned in my first letter to you, were originally very good; but use and abuse have made them quite otherwise." [1]

Mitchell also bears witness to the degeneration of lands in the Southern colonies as early as 1767.

"Their lands are so exhausted that they do not produce above a third part of what they used to do. Formerly they made three and four hogsheads of tobacco a share, that is, for every laborer, where they cannot now make one; and they used to have fifty and sixty bushels of corn to an acre of land, where they now reckon twenty a good crop." [2]

Burnaby describes the agriculture of the Southern colonies as in a "very low state," [3] and Kalm applies nearly the same words to that of Pennsylvania,[4] while he speaks in even more disparaging terms of farming in New Sweden.[5]

The result was that comparatively small returns were obtained from the land, barely eight or ten bushels of wheat to an acre,

[1] Washington to Arthur Young, 1 November, 1787.
[2] Present State, p. 140.
[3] Travels, p. 46.
[4] Travels, i. 185.
[5] Travels, ii. 190.

when twenty-five was an average yield in England and eighteen in France.[1] The cause of this was that —

"the aim of the farmers in this country is, not to make the most they can from the land, which is, or has been cheap, but the most of the labor, which is dear; the consequence of which has been, much ground has been *scratched* over, and none cultivated or improved as it ought to have been: whereas a farmer in England, where land is dear and labor cheap, finds it his interest to improve and cultivate highly, that he may reap large crops from a small quantity of ground. That the last is the true, and the first an erroneous policy, I will readily grant; but it requires time to conquer bad habits, and hardly anything short of necessity is able to accomplish it. That necessity is approaching by pretty rapid strides."[2]

In localities the yield might have been larger. Kalm, at an earlier date, noted that on well prepared land in Pennsylvania, a bushel of rye sowed on an acre of land returned twenty bushels, and the returns from wheat were about the same.[3] In New York, from twelve to twenty fold was the rate of return for wheat; but one half-bushel of maize would yield one hundred bushels.[4] In Buck's County, Pennsylvania, fresh lands would give from fifteen to twenty bushels to the acre, the market price of which would generally cover the cost of the land.[5]

In spite of this wasteful system of culture, the wheat-growers of America possessed decided advantages over those of England, though, as yet, these advantages were not appreciated. Arthur Young proved in his Political Arithmetic that in 1774[6] the American farmer, exempt as he was from rents, tithes, and poor rates, and paying comparatively light taxes, could not only supply the West India market with flour more cheaply than could the English

[1] Young, Travels in France, i. 384.

[2] Washington to Young, December, 1791. See also Jefferson's Notes on Virginia (Eighth edition), p. 130.

[3] Kalm, Travels, ii. 125.

[4] *Ibid.* ii. 245.

[5] "The price of improved lands varied with the price of wheat, — the principal article for making money. When wheat was at 3*s.* a bushel, land was worth £3 an acre, and wheat at 5*s.* meant land at £5" (Hazard's Register of Pennsylvania, iii. 408).

[6] A year of comparative high prices in England.

farmer, but even exclude the latter from the home-markets. Although this was a temporary relation, it was soon to become permanent, for the period of the Revolution marked an important change in the economy of England as regards its food supply. From 1715 to 1765 — a period of fifty years — hardly five years could be found in which the harvest had proved so deficient as to produce a marked influence upon prices; and when compared with former years, prices were uncommonly low. This was the case not only in England, where bounties were paid to encourage the export of grain, but also in France, where imports were encouraged and exports prohibited — a proof that the range of low prices was due to natural and not artificial causes.

This period of plenty and cheapness of food, in which, as the author of the Corn Tracts tells us, bread made of wheat became more generally the food of the laboring people, was followed by ten years of comparative scarcity, due principally to a succession of deficient harvests. So great was the change that government took action, and more than once prohibited the export of grain while allowing its free import, and even paying bounties upon imports. Again was this situation not peculiar to Great Britain, but extended to Ireland and the continent. In England, however, an important change was produced. Heretofore wheat had been an article of export, and had even been sent to the American colonies; it now became an article of import,[1] evidence that under existing methods England could no longer be depended upon to supply the food required by its own population.[2] Though the colonies were not in a position to take advantage of this change, and did not for more than fifty years, the tendency of England to look to other countries for its food dates from this time. Great Britain thus lost the colonies at the very period when they might have become what they did become half a century later, the granary of Europe.

[1] Huskisson, Speech on Parnell's Resolutions on the State of the Corn Laws, 5 May, 1814.

[2] While the balance of exports of wheat from 1742 to 1751 had been 4,700,509 quarters, the balance of imports from 1766 to 1775 had been 1,363,149 quarters; and not until 1785 did the price fall to the rate at which the bounties on exportation attached, or at which any exports were made (Tooke, History of Prices, i. 8). The Corn Laws, it is hardly necessary to add, merely postponed the final dependence on foreign supplies.

In the pursuit of agriculture live stock is one of the great essentials, though not so much an essential in colonial times, when the natural fertility of the soil had not been exhausted and the crops could still depend upon the rich vegetable mould, as at a later day, when the exhausted soil requires some artificial stimulus. The live stock of the colonies was meagre and of poor quality, for little attention was paid to its improvement. Jefferson in his Notes on Virginia advanced the belief that the live stock had deteriorated since its introduction from Europe.

"In a thinly peopled country, the spontaneous productions of the forests and waste fields are sufficient to support indifferently the domestic animals of the farmer, with a very little aid from him in the severest and scarcest season. He therefore finds it more convenient to receive them from the hand of nature in that indifferent state, than to keep up their size by a care and nourishment which would cost him much labor" (p. 83).

The use of domestic animals in agriculture was far more common in the Middle colonies than in either the Eastern or the Southern. In the latter slave labor was a substitute, while in New England the tendency appears to have been to use horses instead of cattle, though the greater care and higher quality of food must have made them the more costly instrument and so restricted their employment.[1] It was in the neighborhood of Philadelphia that Silas Deane noted the "finest team horses" he had ever seen, though New England exported horses largely. In all the colonies cattle appear to have been neither housed in winter nor tended in summer, and little effort was made to collect and preserve manure. Sheep were raised for farming purposes and also for their wool, and some of the colonies offered special inducements to encourage the keeping of sheep; but these attempts were not regarded with favor in Great Britain, where the many severe restrictions intended to maintain and favor the English wool industry, not only forbade the improvement of colonial stock by prohibiting the export of sheep, but also tended to make the raising of sheep for wool of little profit to the farmer by limiting his market. The policy of the mother country was also calculated to discourage greater attention to the cattle of the colonies. Cattle, alive or dead, could

[1] Franklin, Works, vii. 434.

[illegible]

[illegible]

[illegible]

In spite of these drawbacks and disadvantages there was evidence of some progress. The experimental stage was past; the climate and soil were better known and their capacities developed so far as the meagre knowledge and experience of the colonists would allow. The plants suited to each description of land had been noted, and the cultivation required to produce a given result had engaged some attention. In transferring animals and plants from the old world to the new costly errors had been made, but the experience gained was of value. When Connecticut sought to raise cotton, or when cinnamon and silk were to be produced under unfavorable conditions, failure could only result, no bounty being able to overcome the hostility of nature.[1] These errors and failures did not deter new attempts, and —

"so extensively did these experiments go on, and so completely had they been tried, that not a single species of domestic animal, and but one species of cultivated plant (sorghum), that had been introduced since the Revolution, was of sufficient importance to be enumerated in the census tables."[2]

The life of a farmer under such conditions was simple almost to an extreme. He raised the grain and vegetable required by his family and stock; from his cows he obtained milk which could be worked into butter or cheese, both merchantable articles; once a year he killed a bullock or a pig, salting down what was not required for immediate consumption; he raised flax which was worked up in the family into homespun goods, and the wool obtained from his sheep was utilized in the same manner; he knew how to extract the juices from fruits. In each town there would be found a person who, generally a farmer himself, practised in his leisure time some trade like that of a grain miller, a tanner, or a carpenter, his labor being sufficient to meet the wants of the town. In other cases, like that of the shoemaker, the tradesman would visit the various towns, put up at a farmer's house, and using the leather supplied to him, would, in a few days, make sufficient footwear for a year's wants. The miller took a part of his flour as pay, and the tanner, after a year's labor in tanning a hide, re-

[1] Adam Smith thought the dearness of labor in America would prevent a successful culture of the silk-worm (Wealth of Nations, ii. 230).

[2] Shaler, in Tenth Census, iii. 135.

tained one-half as his perquisite. The chief articles which the farmer purchased were iron and salt; the surplus product of his farm was sufficient to enable him to buy these, to lay aside a little "hard money," and to increase his holdings in land. Two or three times a year he would go into the nearest importing town and indulge in a few modest "luxuries" — like a calico gown for his wife, and, as a rule, some rum for himself. Is it strange that many of the vices of the old world should spontaneously disappear under such simple conditions?

The manufactures of the colonies were few and on a scale intended to satisfy local wants, scarcely deserving more than the name of household industry, yet there were the beginnings of an industrial life which required only the proper surroundings to be developed. The usual stimulus was war, which interrupted communication with the mother country and threw the colonies on their own resources. A voyage across the ocean involved from two to four months, and vessels were often so infrequent that the masters, *i.e.* ships built especially to convey masts to England, were taken by those who wished to reach the other side and to whom no better accommodation presented itself. It was the political troubles of England during the Cromwell rebellion that first led to the construction of ships in New England. For emigration was suspended and the intercourse between parent country and colony so interfered with that their supplies for which they looked to England were well nigh exhausted.

"The general fear," writes Governor Winthrop in his journal, "of want of foreign commodities, now our money was gone, and that things were like to go well in England, set us to work to provide shipping of our own."

Every war in which England took part thereafter, led the colonists to add a little to their beginnings of manufacture. During the war with France this tendency to develop their own resources was especially marked, and when the Stamp Act troubles still further increased this tendency, the jealousy of English manufacturers was excited, and an inquiry instituted by the Commissioners of Plantations and Trade into the manufacturing capacity of the colonies. The replies of the colonial governors were nearly in the same strain, — that there were no

manufactures of any consequence, — replies, said Franklin, that were "very satisfactory" to England as betokening no danger of competition.[1] For example, the Governor of New Jersey reported that there were no woollen or linen manufactures worthy of the name; eight blast furnaces for making pig iron, and forty-two forges for beating out bar iron, beside one slitting mill, one steel furnace and one plating mill, but the last processes were not "carried on with vigor;" and finally a glass house, for making bottles and coarse green glass for windows.[2] Very little more had been done in 1774, though a new slitting mill had been erected as an appendage to a grist mill, to evade the prohibition of such mills by Parliament.[3] In 1774 Governor Tryon wrote to the Board of Trade that the manufactures of the Province of New York were: the making of pig and bar iron, distillation of rum and spirits, refining of sugar and chocolate from imported sugar and cocoa, the making of soap, candles, hats, shoes, cordage, and cabinet ware, tanning, malting, brewing, and ship-building.[4] This was, probably, as comprehensive a list as any other colony could have shown, and even that appears larger than it really was, for the growth of manufactures was checked by the limited market, by the dearness of labor, by the greater advantages offered by agriculture, and by the jealousy and restrictions demanded and imposed by British industrial and mercantile interests.

While the colonies were dependent upon Great Britain there was no such thing as a colonial market. Their geographical structure made them independent of one another, offering an obstacle to a commercial and political union that then seemed almost insuperable. The coast, indented by bays and harbors of refuge, and the navigable rivers piercing the interior regions and offering seats for settlements accessible to the outer world, invited the colonies to trade, but it was to trade with Europe and not among the colonies that the efforts of the Americans and the English were directed. The little commerce that passed among themselves was carried by water. "We never had any interior trade of any importance," Jefferson wrote in

[1] Franklin, Works, vii. 393.

[2] Gov. Franklin to the Earl of Hillsborough, 14 June, 1768 (New-Jersey Archives, x. 30–32).

[3] Gov. Franklin to the Earl of Dartmouth, 28 March, 1774 (*Ibid.* x. 444).

[4] New York Colonial Documents, viii. 449.

his Notes on Virginia. Land carriage was too costly.[1] The roads were badly kept,[2] and as the articles to be transported were, as a rule, bulky, they could not be carried far. In Pennsylvania, little favored as it was with navigable rivers, the farmers would come one and two hundred miles on horseback, leading pack horses laden with the goods they were to barter in the nearest market.[3] To the interior salt and gunpowder were about the only articles that would bear the cost and trouble of transport. This separation and isolated interests, intensified by commercial policy or social differences, checked the growth of a compact colonial union.

The want of a free and regular interchange of commodities among the colonies has deprived the economist of one of the best of guides — a scale of prices from year to year. As the producer was generally also the immediate consumer, there was little machinery of trade needed. Stated markets, regulated by law, there were; but everything was local, and prices among the rest. Wheat might be selling in one place for a few shillings a bushel; in another locality not one hundred miles distant the inhabitants might be on the verge of starvation. The failure of a crop, the uncertainty of an ocean voyage,[4] or a miscalculation in the needs of the market, might force prices to an extreme pitch in either direction, showing on what a little margin beyond their actual wants the colonies were existing.[5]

[1] "Take this Province [New York] throughout, the expence of transporting a bushel of wheat, is but *two-pence* [by water], for the distance of one hundred miles; but the same quantity at the like distance in Pennsylvania [by land], will always exceed us one shilling at least" (Independent Reflector, N. Y. 1753).

[2] "High roads, which, in most trading countries, are extremely expensive, and awake a continual attention for their Reparation, demand from us, comparatively speaking, scarce any public notice at all" (*Ibid.*).

[3] Smith's History of New York (Quarto edition), p. 203.

[4] The old marine policies give an idea of the risks of navigation: —

"Touching the Adventures and Perils which we the Insurers are contented to bear, and do take upon us in this Voyage, they are of the Seas, Men-of-War, Fire, Enemies, Pirates, Rovers, Thieves, Jettisons, Letters of Mark and Counter-Mark, Surprisals, Takings at Seas, arrests, Restraints and Detainments of all Kings, Princes and People, of what Nation, Condition, or Quality soever, Barratry of the Master (unless the assured be owner of said vessel) and Mariners, and of all other Perils, Losses, and Misfortunes that have or shall come to the Hurt, Detriment, or Damage of the said Ship."

[5] No attention need be given to the prices of commodities as fixed by law. Such regulation laws were, as a rule, the result of some foolish financial experi-

Another obstacle to the conduct of manufactures was the dearness of labor. In the South the prevalence of slavery not only rendered hired labor unnecessary but prevented the rise of any industry other than that conducted by slaves. "I am not able to give you the price of labor," wrote Washington to Young, "as the land is cultivated here wholly by slaves, and the price of labor in the towns is fluctuating, and governed entirely by circumstances." And Mitchell more fully treated the question: —

"They who estimate the price of labor in the colonies, by the day, do not know what their labor is, and much less the value of it. There is no such thing as day laborers on plantations, and it is inconsistent with the design of them, to admit of any. Day-laborers are only to be found in populous and well improved countries, where they have a variety of employments which afford them a daily subsistence; but as nothing will do that without manufactures, they who would estimate the price of labor in the colonies, by the day, must of course admit of manufactures. But on plantations every one is employed by the year, in order to make a *crop*, which lasts for a twelvemonth. Now, the wages of such laborers are four or five pounds a year for men, and forty shillings for women, who are the chief manufacturers; this brings the price of labor at a medium to 3*l* a year, which is but two-pence a day, for every day in the year.[1]

"The dearness of day-labor in the colonies proceeds from two causes; first, the laborers who are thus employed by the year, in order to make a crop of staple commodities for Britain, and their provisions with it, may lose their whole crop by neglecting it for a few days, and cannot spare a day's work without losing ten times as much as it is worth, and perhaps their whole year's subsistence; which is the true cause of the dearness of day labor in the plantations.

"Secondly, if there are any *common laborers* to be found, who are not engaged by the year, as there seldom are, they cannot find employment for above a few days in a month perhaps; and for that reason, they must have as much for two or three days' work, as will maintain them for as many weeks; but at the year's end they have not perhaps earned two-pence a day, for all the wages they may get, which is generally a

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ments for creating money and capital through the fiat of the legislature, — experiments that invariably terminated in disastrous failure.

[1] Mitchell was answering the statement of those who were seeking to show that the earnings of the colonists at agriculture were three shillings and six-pence a day.

shilling a day, meaning always *sterling cash*. Thus the day laborers of the colonies, if there are any, are only the vagrants, and not the laborers of the country; who stroll from place to place without house or home, are clothed in rags, and have not bare necessaries, notwithstanding the supposed high price of their labor.

"About populous towns the case is very different, and labor much dearer; they do not there make the necessaries of life, which enhances the price of labor; they have likewise a variety of employments, and a demand for laborers, who are employed on plantations in the country, and by that means are scarce and dear. Thus we are not to estimate the price of labor from a few towns, as Boston, New York, or Philadelphia, which we only hear of in Britain. These are not plantations, but trading or manufacturing towns, *which shall not be inhabited without Tradesmen and Artificers*, says the wise man; whose labor is still dearer, because Artists are scarce, and have not constant employment, and so much the better for *Britain*."[1]

The dearness of labor was a result of the higher advantages to be derived from land, to which whatever labor and capital came to the colonies was attracted. "In new colonies," says Adam Smith, "agriculture either draws hands from all other employments, or keeps them from going to any other employment,"[2] and the latter was the case with the American settlements. "The mother country has very little to apprehend from any manufactures in the colonies, while there continues to be plenty of land for the people to settle on as farmers." That was the assurance of Governor Franklin of New Jersey.[3]

"Nor is there the smallest reason to expect that manufacturers will be encouraged in Carolina while landed property can be obtained on such easy terms. The cooper, the carpenter, the bricklayer, the shipbuilder and every other artificer and tradesman, after having labored for a few years at their respective employments and purchased a few negroes, commonly retreat to the country and settle tracts of uncultivated land. . . . Even the merchant becomes weary of attending the store and risking his stock on the stormy sea, or in the hands of men

[1] Present State, p. 300, *note*.

[2] Wealth of Nations, ii. 191. See also Macpherson, Annals of Commerce, iii. 187.

[3] Governor Franklin to the Earl of Hillsborough, 14 June, 1768 (New Jersey Archives, x. 32).

where it is often exposed to equal hazards, and therefore collects it as soon as possible and settles a plantation."[1]

Scarcity of labor was a condition natural to the plantations; the restrictions and prohibitions dictated by commercial and industrial jealousy were artificial barriers to the growth of the colonies. But this will be best described in connection with the mercantile system and the trade of the colonies.

The institution and maintenance of slavery in the colonies were productive of no less important economic than political results, and for more than seventy years after the Revolution exerted such an overwhelming influence as to be the pivotal factor in American history. One of the results of the treaty of Utrecht was to give to England the trade in slaves for the Spanish colonies for thirty years, and the traffic with the British colonies was encouraged that the vent might be larger and the demand more active. Prior to 1740, said Bancroft, there may have been introduced into the colonies nearly 130,000 slaves; before 1776 the number had more than doubled. Even before the English had secured a monopoly of this infamous traffic the Northern colonists had questioned its utility and morality, while those of the South in later years expressed a doubt whether it was for their interest to have so much labor as to glut the market with the products of slave labor and so lower their profits. But whether guided by a repugnance to a traffic in human beings or by a selfish interest, the colonists were powerless to direct or control the trade, being subject to the will of Great Britain. The trade was profitable to England; for its shipping was encouraged, its manufacturers were admitted to the African market with their products, and the production of the Southern colonies was thereby turned into channels in which it would redound to the greatest advantage to the mother country. No question of morality could be admitted; for the slave trade rested upon trade principles and could not be attacked on moral grounds while commerce was the chief end of its administration.

A broadside circulated at the beginning of the eighteenth century recognized but one evil connected with this traffic, — that it should be a monopoly, exercised by a privileged company.

[1] Hewat, in Carroll's Historical Collections of South Carolina.

"It is well known, that the Riches of the Plantations consist in Slaves, by whose strength and labor all their Commodities, as Tobacco, Sugar, Cotton, Indigo, Ginger, &c. are produced; and the more Slaves those Plantations are supplied with, the more Commodities are made, and the stronger they are to defend themselves against any Insults. Neither can there be any more danger of being overstockt with Negroes, than there is that too much Tobacco, Sugar, &c. should be sent to *England;* for it is a plain consequence, the more Negroes the more Goods will be produced, the more Goods the more Custom paid, and all those Commodities rendered here at home so cheap as will enable this Nation to send them abroad cheap also to the great discouragement of the Plantation Trade of all other Nations. Wherefore it is very plain, that a large supply of negroes will not only bring great Riches to this Kingdom, but will also greatly increase our navigation." [1]

At the time this question of free trade or monopoly in the slave trade was being debated in England, Pennsylvania was seeking to abolish the right of holding slaves.

The African Company, in whose hands the slave trade chiefly rested, found little profit in its privileges, being checked by the frequent seizures of its property in America, by the dishonesty of its own agents and servants, and by the opposition of the colonies. In spite of the support of the government, the company was finally glad to relinquish its costly specialty. The colonies more than once sought to crush or discourage the trade, but Great Britain interfered to protect the profits of its traders.

"Great Britain, steadily rejecting every colonial limitation of the slave trade, instructed the governors, on pain of removal, not to give even a temporary assent to such laws; and but a year before the prohibition of the slave trade by the American Congress, in 1776, the Earl of Dartmouth illustrated the tendency of the colonies and the policy of England, by addressing to a colonial agent these memorable words: — 'We cannot allow the colonies to check, or discourage in any degree, a traffic so beneficial to the nation.'" [2]

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[1] Some Considerations: Humbly Offered to Demonstrate How prejudicial it would be to the English Plantations, Revenues of the Crown, the Navigation and general Good of this Kingdom, that the sole Trade for Negroes should be granted to a Company with a Joynt-Stock exclusive to all others (American Historical Record, i. 24).

[2] Bancroft, iii. 416.

In the slave trade the New England colonies participated. Man stealing was denounced by some as piracy; but the purchase and use of slaves were recognized as legitimate, from a fanatical belief in a sanction of religious conviction.[1]

"One good old Elder, whose 'ventures' on the coast had uniformly turned out well, always returned thanks on the Sunday following the arrival of a slaver in the harbor of Newport, 'that an overruling Providence had been pleased to bring to this land of freedom another cargo of benighted heathen, to enjoy the blessing of a gospel dispensation.'"[2]

As the Elect to whom God had joined the heathen for an inheritance, the New Englanders defended a trade which was after all encouraged because of the profit that could be drawn from it. Those colonies further possessed great facilities for engaging in this traffic. Small-sized ships, varying from fifty to two hundred tons burden, were found to be the most profitable, and they cost to build from twenty-four to thirty-four pounds a ton, the builder usually receiving a part of his pay in commodities. The crew was small in number, the running expenses light in comparison with the freight, and the profits large, for it was a double commerce, with the West Indies as well as with England and Africa. Provisions, lumber, horses and rum, were shipped from New England to the West Indies; there a part of the cargo was exchanged for cocoa, indigo, sugar, coffee and molasses; thence the vessel proceeded to England where a further exchange was made for cordage, duck and articles demanded by the African market; in Africa slaves were obtained, and on the homeward voyage a cargo of molasses was brought to New England to be converted into rum. In this way a series of exchanges grew up which employed every movement of the vessel and under favorable conditions made the voyage a succession of advantageous ventures.

The basis of the slave trade, and indeed of New England carrying trade, was rum, in the preparation of which those colonies excelled. In the middle of the eighteenth century it was accounted the "chief manufacture" of Massachusetts, and the "grand support of

[1] *Cf.* Froude, History of England, viii. 480.

[2] Mason, African Slave Trade in Colonial Times (American Historical Record, i. 311–319, 338–345).

their trades and fisheries without which they could no longer subsist." It was a staple article in the Indian trade and the common drink of laborers, lumbermen, and fishermen; it was exported to Guinea to be exchanged for gold and slaves, and finally it enabled the New Englander to barter his "refuse fish" and "low priced horses."[1] On Price's map of Boston (1733) eight distilleries are marked, and the quantity of spirits made was as surprising as the cheap rate at which it was sold.[2]

"With this they supply almost all the consumption of our colonies in North America, the Indian trade there, the vast demands of their own and the Newfoundland fisheries, and, in a great measure, those of the African trade; but they are more famous for the quantity and cheapness than for the excellence of their rum."[3]

In 1764 a gallon of molasses, costing in the West Indies about thirteen pence per gallon, was quoted in Boston at one shilling and sixpence "out of merchants' storehouses." The cost of distilling was five and one-half pence per gallon, and good distillers expected to turn out gallon for gallon, but the average was about ninety-six gallons of rum to every hundred gallons of molasses. In Africa £12 sterling, or one hundred and ten gallons of rum, were considered in 1762 a fair price for a "likely" slave, and he could be sold in the West Indies at prices ranging from twenty to forty pounds, according to the condition of the market. So that after all losses were deducted, and the mortality of slaves on shipboard was great, the return to the adventurer was highly profitable, and the competition keen. Newport, the centre of the trade, had no less than one hundred and twenty ships engaged in the West Indies, African and European commerce.[4]

To show why the slave trade was encouraged is not to explain its social effects and why the practice of slave holding, at one time general, was gradually confined to the Southern colonies. It

[1] Barry, History of Massachusetts, ii. 248, 249.

[2] In 1750, 15,000 hogsheads of molasses were annually converted into rum in Massachusetts alone; and in 1774, sixty distilleries produced about 2,700,000 gallons of rum.

[3] European Settlements, ii. 174.

[4] Mason, African Slave Trade in Colonial Times; Moore, Slavery in Massachusetts, pp. 66, 67, 107.

was the avarice of adventurers that introduced the system of slave labor; the avarice of English merchants and manufacturers maintained it. The native Indian population was first enslaved by the Spaniards, greedy for gold, and was nearly exterminated by the severe and unremitted toil which devoted them to starvation, disease, and torture. The lands that once supported large populations threatened to become deserts. It was at this juncture that Las Casas, in endeavoring to protect the native population from destruction, framed his scheme of favoring emigration from Spain and of allowing every Spanish resident to import twelve negro slaves. From the islands African slavery spread to the mainland, and about the time the Pilgrims landed on Plymouth Rock, the Dutch sold twenty African bondmen at Jamestown, Virginia. It was not long before slaves were held in every colony.

The conditions, however, that made slave labor advantageous were not present in every colony, or the "institution" might have survived in Massachusetts and New York as well as in Virginia and the Carolinas, exerting a dominating influence on the social and political organization. It was because the necessary conditions were absent that the Northern and Middle colonies escaped, and because they were present that the Southern colonies became slave colonies. Origin and climate were not the determining factors; difference in color and in mental and moral capacity widened the gulf between the governing class — the slave holders — and their slaves, but did not account for the presence or absence of slavery. Natural conditions and the physical features of the territory, especially when assisted by local habits and local institutions, account for the difference between North and South, and while in one sense these habits and institutions were a result of slavery, they caused slavery to be maintained long after it had been condemned for moral, political, and economic reasons. Had not Great Britain early devoted Virginia and Maryland to the cultivation of tobacco by forbidding its growth at home and by that regulation afforded a monopoly market for the colonial produce, slavery would not have secured the foothold that it did in those colonies. The colonial pact confined the South to certain staples, tobacco, rice and indigo, which could only be cultivated with profit on a large scale and with an abundance of labor, or which from the methods of culture demanded a constant supply of new labor.

But free labor was throughout the colonies high in price and difficult to obtain; so the planters deemed themselves fortunate in being able to command an almost unlimited supply of slave labor, labor that seemed to them cheap. Undoubtedly it was cheap in the beginning. There was an abundance of rich and virgin soil at their disposal, and the wasteful and ignorant methods of slave labor were not felt, almost any labor yielding high returns. The products were all derived from the cultivation of the soil, for which kinds of production slaves were alone adapted, and they were such as would allow of the development of that organization by which the labor of slaves can alone be made of profit to their owners. The law favored large holdings in land, and the local government — the county forming the unit — was a result as well as a surety of the plantation system. Where tobacco, rice and indigo were cultivated on a large scale, slave labor could be employed; but where cereals formed the chief crop, slaves could have no place; they were not needed, they were in the end far too costly for such culture.[1] This circumstance brought a system of labor which depended upon slavery into disfavor among the Middle colonies — New York, New Jersey and Pennsylvania — where other conditions, like an unlimited extent of land and high fertility, would seem to favor it. A single laborer can cultivate twenty acres of corn or wheat, while he would be unable to manage more than two acres of tobacco.[2]

Even at this early period the evils of slave cultivation were experienced and deplored by the wisest observers. It was admitted that the negro could earn less than a freeman when the results of his toil were measured and compared with the product of free labor.[3] He was ignorant, unskilful, indolent, and without adaptation. Hence a culture once introduced under his labor must be continued, for he was incapable of change. Rotation of crops was unknown, and the same culture applied year after year to the soil without any care being taken to maintain its fertility or improve it when impaired, could only result in exhausting the producing capacity of the land. Favored by soil and climate, encouraged by bounties or by a monopoly market, certain lines of production were

[1] Wealth of Nations, i. 391.

[2] Russell, Agriculture and Climate of North America, 141.

[3] John Adams, Works, ii. 498; Jefferson, Works, i. 29.

pushed to an extreme, while all other resources of these colonies were neglected and allowed to go to waste. The results, which made the structure of society "essentially different from any form of social life which has hitherto been known among progressive communities,"[1] were not sufficiently marked before the Revolution to come under this survey; they will demand consideration in a later period; but nothing could be more widely divergent than the aims and tendencies of the Northern colonies from those of the South. The free labor of the North was the direct antithesis of the slave labor of the South; in each the returns of production united in one person, but in the one case every inducement was held out to the laborer to exert his capabilities and study the means of increasing his returns, in the other the toil was yielded reluctantly, and extorted from a sense of fear. The farmer of the North obtained for himself all the gain due to his labor, and formed an active unit in the community; the slave of the South was awarded a bare subsistence, was a standing menace to the peace of the community, and all the returns of his industry increased the profits of his master.[2] The economic difference arising from these conditions was beyond measurement, and in colonial days the economic aspect of slavery was of far greater importance than the social and political.

Tocqueville has pointed out that the natural conditions of New England were —

"entirely opposed to a territorial aristocracy. . . . To bring that refractory land into cultivation, the constant and interested exertions of the owner himself were necessary; and, when the ground was prepared, its product was found to be insufficient to enrich a master and a farmer at the same time. The land was then naturally broken up into small portions which the proprietor cultivated for himself."

This influence was made stronger by laws favoring the free purchase and devising of lands, making slave labor the most expensive and consequently the least efficient instrument of production for that region, and practically impossible when brought into

[1] Cairnes, Slave Power (Second edition), p. 143.

[2] "The experience of all ages and nations, I believe, demonstrates that the work done by slaves, though it appears to cost only their maintenance, is in the end the dearest of any" (Wealth of Nations, i. 391).

direct competition with free labor. Negroes were found throughout New England and the Middle colonies; but the social structure did not rest upon a basis of slave labor, and with the growth of society, the principle of slavery was extinguished.[1]

Slavery, however, even in the Southern colonies, was not at this time an active and aggressive force, either politically or economically. While each colony recognized the supremacy of Great Britain and held aloof from one another, there was neither the opportunity nor the occasion for political power, nor for the exercise of that peculiar political influence, devoted to the gain of power, which became the marked feature of slave policy in later years. There was no conflict between slave and non-slave States for political supremacy, or for the defence, maintenance, extension or suppression of slavery. The general opinion in every colony was against slavery; it had been tolerated but discountenanced at the North; it was maintained at the South only by the functions imposed on the colonies by the colonial policy of Great Britain. In competition with free labor it had failed at the North; as the basis of a labor system it was being condemned at the South. The Articles of Association adopted by Congress in 1774 bound the signers to import no more slaves, and to strike at the supply of slaves was to strike at slavery itself.[2] This action was in align-

[1] "To borrow the words of Tocqueville, the overthrow of slavery in the Northern States was effected 'by abolishing the principle of slavery, not by setting the slaves free.' The Northern people did not emancipate negroes who were enslaved, but they provided for the future extinction of slavery by legislating for the freedom of their offspring. The operation of this plan may be readily supposed. The future offspring of the slave having by the law of a particular State been declared free, the slave himself lost a portion of his value in that State. But in the South these laws had no force, and consequently in the South the value of the slave was unaltered by the change. The effect, therefore, of the Northern measures of abolition was, for the most part, simply to transfer Northern slaves to Southern markets. In this way, by an easy process, without incurring any social danger, and at slight pecuniary loss, the Northern States got rid of slavery" (Cairnes, Slave Power, Second edition, p. 157).

[2] "We will neither import nor purchase any Slaves imported after the first day of December next; after which time we will wholly discontinue the Slave trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our Commodities or Manufactures to those who are concerned in it."

ment with the instructions prepared by Jefferson. "The abolition of domestic slavery is the great object of desire in those colonies, where it was, unhappily, introduced in their infant state. But previous to the enfranchisement of the slaves we have, it is necessary to exclude all further importations from Africa." That the royal veto "preferring the immediate advantage of a few British corsairs to the lasting interests of the American States, and to the rights of human nature," had repeatedly defeated the attempts of the colonists against this practice, constituted one of the grievances enumerated by the colonies against Parliament and English rule.[1] The slave trade was denounced in the original draft of the Declaration of Independence, but the passage was omitted in the perfected instrument.[2] When Virginia, as a State, enjoyed freedom of political action, the importation of slaves was prohibited in 1778 by a law which the veto of no king could set aside.

The holding of slaves was deprecated more from a moral than an economic motive. Jefferson saw clearly that the morals and industry of the population in slave colonies were suffering.

"With the morals of the people, their industry is also destroyed. For in a warm climate, no man will labor for himself who can make another labor for him. This is so true, that, of the proprietors of slaves, a very small proportion indeed are ever seen to labor." [3]

During the Revolution the inconsistency of fighting for one's own liberty, while inflicting bondage on another was recognized, and the cause of emancipation gained ground. In 1766 Christopher Gadsden of South Carolina had written :—

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[1] A Summary View of the Rights of British America.

[2] The omitted passage read as follows :—

"He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him; captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. The piratical warfare, the opprobrium of *Infidel* powers, is the warfare of the *Christian* King of Great Britain. Determined to keep open a market where *men* should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. And, that this assemblage of horrors might want no fact of distinguished dye, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them; thus paying off former crimes committed against the *liberties* of one people with crimes which he urges them to commit against the *lives* of another" (Jefferson, Works, i. 23, 24; Peter Force in National Intelligencer, 16 and 18 January, 1855).

[3] Works, viii. 403.

"We are a very weak province, a rich growing one, and of as much importance to Great Britain as any upon the continent; and great part of our weakness (though at the same time 't is part of our riches) consists in having such a number of slaves amongst us. . . . Slavery begets slavery." [1]

When Virginia prohibited the trade in slaves, a clause providing for the freedom of the offspring of slaves and deportation after a certain age was considered, but rejected as premature.[2] The constitution of no State, North or South, contained the word slave, except that of Delaware. By 1784, slavery had been prohibited or the beginnings of emancipation laid in almost all the States, in one form or another. Such was the position of slavery at the end of the Revolution.

Mr. ALBERT MATTHEWS then read the following —

NOTES ON THE PROPOSED ABOLITION OF SLAVERY IN VIRGINIA IN 1785.

As some of the extracts I am about to read, though relating chiefly to the proposed abolition of slavery in Virginia in 1785, refer to Washington, it seemed appropriate to present them at this meeting.

The followers of John Wesley early became prominent as missionaries in this country, and among the most noted of these were Francis Asbury and Thomas Coke, from whose writings we get interesting glimpses of the anti-slavery agitation. Bishop Asbury, referring to the Conference at Bristol, England, in 1771, said: —

"Before this, I had felt for half a year strong intimations in my mind that I should visit America; . . . At the Conference it was proposed that some preachers should go over to the American continent. I spoke my mind, and made an offer of myself. It was accepted by Mr. Wesley and others, who judged I had a call." [3]

At once Asbury made his preparations, sailed the next month, and for thirteen years wandered up and down the American conti-

[1] Historical Magazine, September, 1861, v. 261.

[2] Jefferson, Works, ix. 278, 279; i. 48, 49.

[3] Journal of Rev. Francis Asbury, Bishop of the Methodist Episcopal Church, New York, 1852, i. 11.

nent, until, on 14 November, 1784, he records that, to his great joy, he "met those dear men of God, Dr. Coke, and Richard Whatcoat; we were greatly comforted together."[1] On 24 December he rode to Baltimore, where he met a few preachers, and —

"it was agreed to form ourselves into an Episcopal Church, and to have superintendents, elders, and deacons. When the conference was seated, Dr. Coke and myself were unanimously elected to the superintendency of the Church, and my ordination followed, after being previously ordained deacon and elder."[2]

On 30 April, 1785, while in Virginia, he says that he —

"found the minds of the people greatly agitated with our rules against slavery, and a proposed petition to the general assembly for the emancipation of the blacks. Colonel —— and Doctor Coke disputed on the subject, and the Colonel used some threats: next day, brother O'Kelly let fly at them, and they were made angry enough; we, however, came

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[1] Asbury, Journal, i. 484.

[2] *Ibid.* i. 486. Asbury was ordained Deacon 25 December, Elder on the twenty-sixth, and Superintendent on the twenty-seventh, each time by Coke. It may be explained that the title of "Superintendent" was at first used, but was soon displaced by that of "Bishop." In the Minutes of the Annual Conferences for 1785, 1786, and 1787, Coke and Asbury were called Superintendents; in 1788, for the first time, the two men appear as Bishops. Yet, as we have seen, the title of Methodist Episcopal Church was adopted at the Baltimore Conference of 1784. Just before leaving England, Coke had been ordained Superintendent by Wesley; but Wesley was utterly opposed to the assumption of the title of Bishop, and thus expressed himself in a letter to Asbury written 20 September, 1788: —

"How can you, how dare you, suffer yourself to be called BISHOP? I shudder, I start at the very thought! Men may call *me* a knave or a fool; a rascal, a scoundrel, and I am content: But they shall never, by my consent, call me *Bishop!* For my sake, for God's sake, for Christ's sake, put a full end to this!" (H. Moore's Life of the Rev. John Wesley, ii. 340.)

In regard to the assumption by the American Methodists of the titles of Episcopal and Bishop, and the heated controversies thereby engendered, the reader is referred to the Minutes of the Annual Conferences of the Methodist Episcopal Church, New York, 1840, i. 21, 22; Minutes of Several Conversations between The Rev. Thomas Coke, LL.D., The Rev. Francis Asbury and Others, *etc.*, 1785, p. 3; J. Whitehead's Life of the Rev. John Wesley, ii. 416, 417; H. Moore's Life of the Rev. John Wesley, ii. 327–340; L. Tyerman's Life and Times of the Rev. John Wesley, New York, 1872, iii. 435–449.

of our whole house, and our business in conference was finished in peace."[1]

On 22 May, he continues, "we rode to Alexandria, to meet Dr. Coke,[2] and on 24 May "we visited GENERAL WASHINGTON, who received us very politely, and gave us his opinion against slavery."[3] Later, but while still in Virginia, he makes, under date of 15 November, this —

"Our conversation turned upon slavery: the difficulties attending emancipation, and the resolutions some of the members of the Virginia legislature expressed against those who favoured a general abolition."[4]

These remarks by Asbury form a strong corroboration to the extracts I have now to offer, — those, namely, taken from a book which appears to be little known.[5] It is entitled Extracts of the Journals of the Rev. Dr. Coke's Five Tours to America,[6] and was published in London in 1784. The author, Thomas Coke, born in Wales in 1747, a graduate of Jesus College, Oxford, in 1770 came under the influence of John Wesley,[7] and in 1784 was urged by

[1] Asbury Journal, i. 341.

[2] Ibid., i. 342.

[3] Ibid., i. 342.

[4] Various our associate Mr. W. C. Ford, who found the title in a catalogue, has mentioned it to Dr. Cook, and added my assurance to his, but our associate Mr. L. Swift has not seen the book.

[5] Copies will be found in the Boston Public Library and in the Harvard College Library. The latter has also a copy of Extracts of the Journals of the Rev. Dr. Coke's Three Tours to America, London, 1784. It is dedicated to John Wesley, and in the preface Dr. Coke says that —

"the rise of various sects in the United States, have not well demonstrated by the [illegible] of their authors, it has been, to the whole of their collection, [illegible] of the Journal of my first tour in America, which we have [illegible]."

After the death of Dr. Coke, which took place in 1814, there was published at [illegible] Extracts of the Journals of the late Rev. Thomas Coke, LL.D.; comprising several Tours to North America and the West Indies: his Tour [illegible] and his last intended Voyage to Bombay in the East Indies. To which is prefixed a Life of the Doctor. A copy of this book is in the Boston Public Library.

[6] Under date of 21 August, 1776, Wesley wrote —

"I proceeded to Tullamore, and afterwards [illegible] Ireland. Here I found a young man, Dr. Coke, and a gentleman from Jesus College, Oxford, who came twenty miles to persuade me to hear him. I had not conversed with him, and a more [illegible] I never saw before."— Tyerman's Life and Times of the Rev. John Wesley, iii. 16.

Wesley to go to the United States. Coke left England in September, 1784, and reached New York the third of November. At once proceeding south, he made extensive tours in that section of the country; he ordained Asbury, as we have already seen; and on the fifth of April, 1785, he "dared for the first time to bear a public testimony against slavery," and did "not find that more than one was offended."[1] This calm was of short duration, for on the tenth of April he says: —

"I had now for the first time a very little persecution. The testimony I bore in this place against slave-holding, provoked many of the unawakened to retire out of the barn [in which he was preaching], and to combine together to flog me (so they expressed it) as soon as I came out. A high-headed Lady also went out, and told the rioters (as I was afterwards informed) that she would give fifty pounds, if they would give that little Doctor one hundred lashes. When I came out, they surrounded me, but had only power to talk."[2]

Luckily his host, at whose house Coke and his fellow-preachers were obliged, on account of numbers, "to lie three in a bed," was a justice of the peace, and the rage of the multitude was restrained; though on the following day he narrowly escaped severe treatment, for —

"Here a mob came to meet me with staves and clubs. Their plan, I believe, was to fall upon me as soon as I touched on the subject of slavery. I knew nothing of it till I had done preaching; but not seeing it my duty to touch on the subject here, their scheme was defeated, and they suffered me to pass through them without molestation."[3]

Undeterred by these rebuffs, he attended a quarterly meeting in Mecklenburg County, Virginia, 24 and 25 April, and says: —

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[1] Extracts, *etc.*, 1793, p. 33.

[2] *Ibid.* p. 35. The expression "high-headed," the meaning of which is perhaps not obvious at a glance, is explained by the following extract: —

"Q. 18. Should we insist on the Rules concerning Dress? A. By all means. This is no Time to give any Encouragement to Superfluity of Apparel. Therefore give no Tickets . . . to any that wear High-Heads, enormous Bonnets, Ruffles or Rings." (Minutes of Several Conversations, *etc.*, 1785, pp. 9, 10.)

The noun "high-head" was not uncommon at that period, but Coke's adjective "high-headed" is unrecorded in the Oxford Dictionary.

[3] Extracts, *etc.*, 1793, pp. 35, 36.

"Here I bore a public testimony against Slavery, and have found out a method of delivering it without much offence, or at least without causing a tumult: and that is, by first addressing the Negroes in a very pathetic manner on the Duty of Servants to Masters; and then the Whites will receive quietly what I have to say to them."[1]

The opposition to slavery was not started by Coke, for action against it had been taken in the Conferences for 1780 and 1783;[2] but the stringent rules drawn up in 1784 were very likely due to Coke's influence. These rules are as follows: —

"Q. 42. What Methods can we take to extirpate Slavery?

"A. We are deeply conscious of the Impropriety of making new Terms of Communion for a religious Society already established, excepting on the most pressing Occasion: and such we esteem the Practice of holding our Fellow-Creatures in Slavery. We view it as contrary to the Golden Law of God on which hang all the Law and the Prophets, and the unalienable Rights of Mankind, as well as every Principle of the Revolution, to hold in the deepest Debasement, in a more abject Slavery than is perhaps to be found in any Part of the World except America, so many Souls that are all capable of the Image of God.

"We therefore think it our most bounden Duty, to take immediately some effectual Method to extirpate this Abomination from among us; And for that Purpose we add the following to the Rules of our Society: viz.

"1. Every Member of our Society who has Slaves in his Possession, shall within twelve Months after Notice given to him by the Assistant (which Notice the Assistants are required immediately and without any Delay to give in their respective Circuits) legally execute and record an Instrument, whereby he emancipates and sets free every Slave in his Possession who is between the Ages of Forty and Forty-five immediately, or at the farthest when they arrive at the Age of Forty-five:

"And every Slave who is between the Ages of Twenty-five and Forty immediately, or at farthest at the Expiration of five Years from the Date of the said Instrument:

"And every Slave who is between the Ages of Twenty and Twenty-five immediately, or at farthest when they arrive at the Age of Thirty:

"And every Slave under the Age of Twenty, as soon as they arrive at the Age of Twenty-five at farthest.

"And every Infant born in Slavery after the above-mentioned Rules are complied with, immediately on its Birth.

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[1] Extracts, *etc.*, 1793, p. 37.

[2] See Minutes of the Annual Conferences, i. 12, 18, 20, 21, 24.

"2. Every Assistant shall keep a Journal, in which he shall regularly minute down the Names and Ages of all the Slaves belonging to all the Masters in his respective Circuit, and also the Date of every Instrument executed and recorded for the Manumission of the Slaves, with the Name of the Court, Book and Folio, in which the said Instruments respectively shall have been recorded: Which Journal shall be handed down in each Circuit to the succeeding Assistants.

"3. In Consideration that these Rules form a new Term of Communion, every Person concerned, who will not comply with them, shall have Liberty quietly to withdraw himself from our Society within the twelve Months succeeding the Notice given as aforesaid: Otherwise the Assistant shall exclude him in the Society.

"4. No person so *voluntarily withdrawn*, or so *excluded*, shall ever partake of the Supper of the Lord with the Methodists, till he complies with the above-Requisitions.

"No Person holding Slaves shall, in future, be admitted into Society or to the Lord's Supper, till he previously complies with these Rules concerning Slavery.

"N. B. These Rules are to affect the Members of our Society no farther than as they are consistent with the Laws of the States in which they reside.

"And respecting our Brethren in *Virginia* that are concerned, and after due Consideration of their peculiar Circumstances, we allow them *two Years* from the Notice given, to consider the Expedience of Compliance or Non-Compliance with these Rules.

"Q. 43. What shall be done with those who buy or sell Slaves, or give them away?

"A. They are immediately to be expelled: unless they buy them on purpose to free them."[1]

In the first week in May, Coke records that —

"A great many principal friends met us here to insist on a Repeal of the Slave-Rules; but when they found that we had thoughts of withdrawing ourselves entirely from the Circuit on account of the violent spirit of some leading men, they drew in their horns, and sent us a very humble letter, intreating that Preachers might be appointed for their Circuit. . . . After mature consideration we formed a petition, a copy of

[1] Minutes of Several Conversations between The Rev. Thomas Coke, LL.D., The Rev. Francis Asbury and Others, at a Conference, begun in Baltimore, in the State of Maryland, on Monday, the 27*th.* of December, in the Year 1784. Composing a Form of Discipline for the Ministers, Preachers and other Members of the Methodist Episcopal Church in America. Philadelphia, . . . M, DCC, LXXXV. Pp. 15–17. A copy of this little book will be found in the Boston Athenæum.

which was given to every Preacher, intreating the General Assembly of *Virginia*, to pass a Law for the immediate or gradual emanicipation of all the Slaves. It is to be signed by all the Freeholders we can procure, and those I believe will not be few. There have been many debates already on the subject in the Assembly."[1]

Nor was slavery his only cause for annoyance. On the fifteenth of May he preached to a large congregation, and says: —

"During the sermon, after I had spoken very pointedly concerning the impropriety of going in and out during divine service, two dressy girls walked out with such an impudent air, that I rebuked them keenly. After the public service, whilst I was administering the sacrament, baptizing, and meeting the Society, their father who is a Colonel, raged at the outside of the Church, declaring that as soon as I came out, he would horse-whip me for the indignity shewn to his family. But his two brothers (all unawakened) took my part, and insisted that I had done my duty, and the young ladies deserved it. However, finding that our preaching in that Church, which we do regularly, chiefly depends upon him, I wrote a letter of apology to him as far as the truth would permit, when I came to my lodging. We had a good time during the sermon and the Sacrament. But when I enlarged to the Society on *Negro-Slavery*, the principal leader raged like a lion, and desired to withdraw from the Society. I took him at his word, and appointed that excellent man (Brother *Skelton*) Leader in his stead. When the Society came out of the Church, they surrounded Brother *Skelton*, 'And will *you*,' said they, 'Set your Slaves at liberty?' (He has many Slaves) 'Yes,' says he, 'I believe I shall.'"[2]

On the twenty-fifth of May he met at Alexandria "that dear, valuable man, Mr. Asbury;" and on the twenty-sixth their visit to Mount Vernon took place. He writes: —

"Mr. *Asbury* and I set off for General *Washington's*. We were engaged to dine there the day before. The General's Seat is very elegant, built upon the great river Potomawk; for the improvement of the navigation of which, he is carrying on jointly with the State some amazing Plans. He received us very politely, and was very open to access. He is quite the plain, Country-Gentleman. After dinner we desired a private interview, and opened to him the grand business on

[1] Extracts, *etc.*, 1793, p. 39.
[2] *Ibid.* pp. 40, 41.

which we came, presenting to him our petition for the emancipation of the Negroes, and intreating his signature, if the eminence of his station did not deem it inexpedient for him to sign any petition. He informed us that he was of our sentiments, and had signified his thoughts on the subject to most of the great men of the State: that he did not see it proper to sign the petition, but if the Assembly took it into consideration, would signify his sentiments to the Assembly by a letter. He asked us to spend the evening and lodge at his house, but our engagements at *Annapolis* the following day would not admit of it. We returned that evening to *Alexandria*."[1]

His experience had taught him caution, and at a conference held 1 June at Baltimore, —

"We thought it prudent to suspend the minute concerning Slavery, on account of the great opposition that had been given it, our work being in too infantile a state to push things to extremity."[2]

Coke returned to England the same month, and though later he made frequent visits to this country and to the West Indies, he does not seem again to have visited Mount Vernon.[3]

In connection with Dr. Coke's characterization of Washington as "quite the plain, Country-Gentleman," it is pertinent to quote an extract from a letter which our associate Mr. Ford has just

[1] Extracts, *etc.*, 1793, p. 45.

[2] *Ibid.* p. 46. The official record is as follows: —

"It is recommended to all our brethren to suspend the execution of the minute on slavery till the deliberations of a future Conference; that an equal space of time be allowed all our members for consideration, when the minute shall be put in force. *N. B.* We do hold in the deepest abhorrence the practice of slavery; and shall not cease to seek its destruction by all wise and prudent means." (Minutes of the Annual Conferences, i. 24.)

In 1795 it was recommended that a general fast be held for the purpose, among other things, of lamenting "the deep-rooted vassalage that still reigneth in many parts of these free, independent United States;" while in a recommendation for a general thanksgiving, it was remarked that "for African liberty; we feel gratitude that many thousands of these poor people are free and pious." (Minutes, *etc.*, i. 64.) Thereafter all references to slavery apparently disappear from the Minutes.

[3] In 1789 a congratulatory address was sent to Washington by the Methodists at their Conference, much to the disturbance of the English Wesleyans. Washington's reply to this address will be found in Sparks's edition of his Writings, xii. 153, 154.

placed in my hands. It is dated Philadelphia, 25 December, 1783, shortly after Washington had taken his departure, and is interesting as having been written to Elias Boudinot by that arch-enemy of Washington, Dr. Benjamin Rush. It is as follows: —

"Our beloved Gen Washington left us a few days ago after receiving a thousand marks of respect & affection from all classes of people. In his way to Baltimore he was caught in a shower of rain, & sought a shelter from it in the common stage waggon. When the waggon came to a tavern, the tavern keeper, who knew him, received him with the greatest respect, & offered to prepare a dinner for him & his aids in a separate room. 'No — no,' said the General, 'It is customary for travellers in this waggon to dine together. — I will dine nowhere but in this common room with these my fellow passengers,' & accordingly sat down & ate his dinner like any other Virginia planter with them. This act throws a greater lustre over his character than all his victories. It shows him to be a man — a citizen — & a philosopher. His victories can only denominate him a General."[1]

Allusions to this early attempt to abolish slavery in Virginia appear to be rare, but we can trace out the result from other sources of information. On Tuesday, 8 November, 1785, there was presented and read, in the Virginia House of Deputies, —

"Also, a petition of sundry persons, whose names are thereunto subscribed; setting forth, that they are firmly persuaded, that it is contrary to the fundamental principles of the christian religion, to keep so considerable a number of our fellow creatures, the negroes in this State, in slavery; that it is also an express violation of the principles upon which our government is founded; and that a general emancipation of them, under certain restrictions, would greatly contribute to strengthen it, by attaching them by the ties of interest and gratitude, to its support; and praying that an act may pass to that effect.

"Also, a petition of sundry inhabitants of the county of Mecklenburg, whose names are thereunto subscribed, in opposition thereto; and praying that the act, 'empowering the owners of slaves to emancipate them;' may be repealed.

"*Ordered,* That the said petitions do severally lie on the table."[2]

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[1] The extract occurs in a letter written 23 November, 1854, by J. W. Wallace to Dr. Griswold, from an original in the possession of Wallace.

[2] Journal of the House of Delegates of the Commonwealth of Virginia, *etc.*, Richmond, 1828, p. 27. The reference is to "An act to authorize the manu-

On Thursday, the tenth of November, —

"On a motion made, The House proceeded to consider the petition of sundry persons presented on Tuesday last, which lay on the table, praying for a general emancipation of slaves, and the same being read:

"A motion was made, and the question being put, to reject the said petition,

"It passed in the affirmative, *nemine contra dicente*.

"*Resolved*, That the said petition be rejected."[1]

These entries show the fate of the petition. From Madison we get something more than the bare details. Writing to Washington 11 November, 1785, he says: —

"The pulse of the House of Delegates was felt on Thursday with regard to a general manumission, by a petition presented on that subject. It was rejected without dissent, but not without an avowed patronage of its principles by sundry respectable members. A motion was made to throw it under the table, which was treated with as much indignation on one side as the petition itself was on the other. There are several petitions before the House against any step towards freeing the Slaves, and even praying for a repeal of the law which licenses particular manumissions."[2]

Again, writing 22 January, 1786, to Jefferson, then in France, Madison says: —

"Several petitions (from Methodists chiefly) appeared in favor of a gradual abolition of slavery, and several from another quarter for a repeal of the law which licenses private manumissions. The former was not thrown under the table, but was treated with all the indignity short of it. A proposition for bringing in a bill conformably to the latter was decided in the affirmative by the casting vote of the Speaker; but the bill was thrown out on the first reading by a considerable majority."[3]

Finally, from Jefferson himself we get light as to the cause of the failure of the petition. Under date of 22 June, 1786, he says: —

"Of the two commissioners who had concerted the amendatory clause for the gradual emancipation of slaves Mr. Wythe could not be present

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mission of slaves," passed in May, 1782, by which, under certain conditions, manumission was permitted. (See the Virginia Statutes at Large, xi. 39.)

[1] Journal of the House of Delegates, etc., p. 31.

[2] Madison's Letters and Other Writings, i. 199, 200.

[3] *Ibid.* i. 217, 218.

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Mr. Henry H. Ed

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[1] Sketch of the Life and a List of Some of the Wo
Copley, 1873, p. 126.

MARCH MEETING, 1900.

A STATED MEETING of the Society was held at No. 25 Beacon Street, Boston, on Wednesday, 21 March, 1900, at three o'clock in the afternoon, President WHEELWRIGHT in the chair.

The Records of the Stated Meeting in February were read and approved.

The CORRESPONDING SECRETARY reported that since the last Meeting a letter had been received from Dr. MOSES COIT TYLER accepting Corresponding Membership.

President WHEELWRIGHT announced the death of the Honorable Edward John Phelps, an Honorary Member, and remarked upon the fact that Professor Phelps's death made the first break in either the Honorary or Corresponding Rolls of the Society. He then paid this tribute to the memory of our late associate: —

Since our last Stated Meeting we have lost by death one name from the short list of our Honorary Members. There have been but seven names in this list, and that of the Honorable Edward John Phelps was the second name to be inscribed upon it; his is also the first to be starred. Mr. Phelps was elected an Honorary Member on the twentieth of December, 1893, when President Cleveland was also admitted to our fellowship. In his letter of acceptance, he desired to express his "thanks for the distinguished compliment conferred upon him, — a compliment," he added, "which I very highly appreciate." He subsequently showed the genuineness of this appreciation and the interest he at once took in our Society by twice making long journeys to attend our Annual Meetings, — those of 1894 and 1899. The day after the first of these meetings, Mr. Phelps drove to Cambridge and called upon our then President, Dr. Gould, to express the pleasure he had enjoyed.

At both these meetings, or rather at the dinner which followed them, he contributed to the intellectual feast by speeches in which he fully justified his reputation as an after-dinner speaker. At the last of these dinners, — that of November, 1899, — your President had the privilege of having him for his right-hand neighbor at the table and can testify to the unrivalled charm of his conversation, with its happy mingling of wit and wisdom.

Mr. Phelps died at New Haven, Connecticut, where he had a residence, on the ninth of March. He had been ill with pneumonia for nearly two months, but until within a week of his death it was confidently believed by his physician that he would recover, because of his strong constitution and in spite of his advanced age. During his illness, messages of sympathy were constantly addressed to him from all parts of the country and from abroad, including one from Queen Victoria, inquiring as to his condition and expressing a hope for his recovery. At a time when it was thought that his restoration to health was assured, this Society also sent him a letter of congratulation.

Though born in Vermont, Mr. Phelps had in his veins good Massachusetts blood, which we of The Colonial Society of Massachusetts may be pardoned for believing may have been not without influence upon his character and career. His ancestor William Phelps, born in England in 1599, came to New England in 1630 and first settled at Dorchester, Massachusetts; but after residing there five or six years removed with his family to Windsor, Connecticut. Here they remained for several generations, intermarrying, meanwhile, with some of the most eminent families of that Colony, some of them, also, originally of Massachusetts stock.

Mr. Phelps was born at Middlebury, Vermont, on the eleventh of July, 1822, and was educated at Middlebury College. After graduating, in 1840, he studied law with his father, with Horatio Seymour, and at the Yale Law School, was admitted to the bar in 1843, and began practice in New York City, but soon removed to Burlington, Vermont, which became thereafter his habitual place of residence. Here he soon acquired the reputation of a sound lawyer and able advocate and was entrusted with many important cases. Though in a measure shrouded from public gaze in the remote county town he had chosen for his residence, his legal

ability and attainments were not unmarked by his professional brethren, and in 1880 he was chosen President of the American Bar Association. He had already received, in 1870, the degree of LL.D. from his Alma Mater. Yale University gave him the honorary degree of A.M. in 1881 and he was at the same time made a professor in the Yale Law School. The University of Vermont conferred upon him the degree of LL.D. in 1887 and Harvard did the same in 1889.

Mr. Phelps was best known to the general public as our Minister to England, to which post he was appointed by President Cleveland in 1885. As the immediate successor of Lowell it was at first feared that he might appear to disadvantage in the comparison; but such apprehensions soon proved groundless and the new appointee at once achieved, without effort, a popularity unsurpassed by any of the long line of distinguished men who had preceded him in the office. He became popular with the entire nation, from the Sovereign down to the plainest of the plain people. One passport to popular favor he had, very potent with Englishmen, which Lowell lacked, — he was an enthusiastic sportsman, and brought home, at the end of his mission, several pair of antlers as trophies of his skill in deer-stalking among the Highlands of Scotland.

On his departure from England, Punch assured him of —

> John Bull's best wishes
> And Mr. Punch's too;

and the London Times of the twelfth of March, 1900, in announcing his death, said: —

> Among the gifted men who have represented the United States here, Mr. Phelps was one of the most successful alike in social and in diplomatic duties. He will long be remembered as one of the best and wisest of his country's servants.

Not only is our Society called upon to mourn the loss of a distinguished member, but Mr. Phelps's death is a loss to the whole nation, at a time when new and perplexing problems are confronting us at home and abroad, when there is sore need of wise counsellors and honest and well-equipped officials. It is, perhaps, as an educator that Mr. Phelps will be most missed. Profoundly

[illegible] without acerbity, a master of epigram and [illegible] proficient in manly exercises, a lover of [illegible] and [illegible] in the chase; a genial comrade with men, [illegible] with women; a sturdy democrat, [illegible] whose principle was unassumed, but yielding gracefully and [illegible] in matters not essential; equally at home in the cottage [illegible] the court; he was, in short, a very perfect specimen of the [illegible] American gentleman, dignified without arrogance, affable with [illegible] condescension, and possessed of that true good breeding which [illegible] with the best society often fails to give, but which [illegible] spontaneously from a kindly nature. Long may such be [illegible] among us!

Mr. [illegible] H. Ames then said: —

It will be remembered that when the Courts of the Commonwealth were removed from Court Square to their present quarters in Pemberton Square, Boston, there was much speculation [illegible] life-size portrait, signed and dated 1767, of a man [illegible] whom nobody could identify. Mr. Augustus [illegible] Peirce describes this picture as a "three-fourths length, in the Judge's robe of the Supreme Court, at Boston," and calls it a portrait of "Judge Hayward, of South Carolina."[1] The [illegible] now occupies a conspicuous place in the Social Law Library. Our associate Mr. Justice Barker of the Supreme Judicial Court and Judge Francis W. Hurd made many inquiries and [illegible] search to ascertain the name of the original of this interesting [illegible]

[1] Sketch of the Life and a List of Some of the Works of John [illegible] Copley, 1873, p. 132.

A. W. Elson & Co. Boston

M. Howard.

Engraved for The Colonial Society of Massachusetts
from a portrait by Copley
in possession of the Social Law Library of Boston

mysterious picture but without success. Some of the older members of the Bar recollected that Chief-Justice Shaw once said that the Library owned a portrait of one of the Judges of the Courts in one of the Southern Colonies; but none could remember his name.

In conversation a few days since, with Mr. Francis Wales Vaughan, Librarian of the Social Law Library, he told me that he believed he had solved the mystery. In looking over the account-book of the Treasurer, he found the following entry under date of 10 August, 1829: —

To cash pd. Daniel Merrill for moving picture of Martin Howard presented to the Social L. Library by Miss A. H. Spooner 50

Investigation at the Suffolk Probate Office showed that Anna Howard Spooner was put under guardianship in 1802, and the inference was at once drawn that she was the donor of the portrait. It was in vain that the Records of the Proprietors and of the Trustees of the Library were searched for some acknowledgment of this gift, the entry in the Treasurer's books, apparently, being all that remained on paper bearing upon the identity of the portrait. Finally, however, in making a thorough search among some old vouchers, letters, and other papers in the Treasurer's custody, Mr. Vaughan found Miss Spooner's letter, dated in August, 1829, presenting to the Library[1] the portrait of her grandfather painted "by Mr. Copely." A postscript to the letter states that the portrait is given for the purpose of showing the dress of the Judges before the Revolution.

Martin Howard was a prominent man in both Rhode Island and North Carolina. His father, Martin Howard, Senior, was a resident of Newport, Rhode Island, and, with other of his townsmen, was "admitted free of the Colony" of Rhode Island and Providence Plantations at a session of the Assembly on 3 May, 1726.[2] Unlike his son, he does not appear to have made any impression upon public affairs, but that he was well descended may reasonably be

[1] The officers of the Social Law Library in 1829 were: — *President*, William Sullivan; *Trustees*, Lemuel Shaw, William Minot, Benjamin Rand, Samuel Hubbard, and George Morey; *Treasurer and Clerk*, Edward Blake; *Librarian*, James Boyle.

[2] Rhode Island Colonial Records, iv. 375.

inferred from an item in the estimate of his son's losses at the hands of the Newport mob, in August, 1765, to be mentioned hereafter. The son was born in England,[1] and, doubtless, was brought hither in early childhood by his father.[2]

Martin Howard, Jr., as his name appears in the public records for many years and as late as 1765,[3] studied law under James Honyman, Jr., and became a practitioner at the bar in Newport where he mostly resided. He was appointed by the Assembly one of the Commissioners to go to Albany to confer with the Six Nations on the fourteenth of June, 1754,[4] and in August, 1756, one of a committee to prepare a bill to authorize a lottery for raising £10,000 to carry on the building of Fort George.[5] On the eighteenth of August, 1760, and again on the twenty-first of September, 1762, he was named on a commission to revise the laws of the Colony.[6] His activities, however, were not confined to his profession and his public services to the Colony. For three years (1752–1755) he was librarian of the Redwood Library,[7] and he was long an active and influential member of Trinity Church.[8]

Of Howard's first marriage the following record, in the handwriting of Dr. MacSparran, has been preserved in the Register of St. Paul's Church, Narragansett, under date of 29 December, 1749: —

The Banns of marriage between Martin Howard Junr and Ann Conklin being duly published in Trinity Church in Newport on Rhode

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[1] Moore's History of North Carolina, 1880, i. 99. See below, p. 389.

[2] In the Newport cemetery is a stone which records the death of Ann Howard, wife of Martin Howard, 28 September, 1758, aged 59 years. Another stone is to the memory of Sarah Howard, daughter of Martin and Ann Howard, who died 13 January, 1734, aged 3 years, 11 months, 13 days. In the Friends Records is the following entry: —

Ann Howard, of England, died at Widow Wait Carr's house, Newport, 11 June, 1719 (Arnold's Vital Record of Rhode Island, vii. 109).

[3] See will of Ebenezer Brenton, below, p. 387, *note*.

[4] Rhode Island Colonial Records, v. 386.

[5] *Ibid.* v. 505.

[6] *Ibid.* vi. 257, 336.

[7] Mason's Annals of the Redwood Library and Athenæum, Newport, R. I., 1891, pp. 42, 45, 59.

[8] A fac-simile of Martin Howard's autograph is in Mason's Annals of Trinity Church, Newport, Rhode Island, 1698–1821 (1890), p. 91 *note*.

Island, and certification thereof being had under the Hand of ye Revd Mr James Honyman Rector of said church; said Partys were Joind together in holy matrimony at the House of Major Ebenezer Brenton[1] Fa^r of said Ann on Friday the 29th of Decem^r 1749 by the Revd James Macsparran D:D: Incumbent of St Pauls in Narraganset the Parish where said Partys did then reside.[2]

The Register of Trinity Church, Newport, preserves the dates of baptism of three children of Martin and Ann Howard, — Ebenezer-Brenton, 14 August, 1751, Elizabeth, 26 July, 1752, and Ann, 24 August, 1754, but no more.[3]

As the Revolution drew on, Howard became an ardent Loyalist, and with Dr. Thomas Moffatt, a Scotch physician, and Augustus Johnston, Attorney-General of the Colony, he was appointed to office under the Stamp Act. On the twenty-seventh of August, 1765, the mob made a demonstration against the stamp officers, drawing their effigies through the streets and hanging them on a gallows, and injuring Howard's person. On the following day, it attacked and dismantled the houses of Howard and Moffatt who fled the town, taking shelter on board the British sloop-of-war

[1] Major Ebenezer Brenton (1687–1766) of South Kingstown, Rhode Island, had two daughters, Ann and Elizabeth. Ann married, as her first husband, Jonathan Concklin, 14 June, 1740, at Trinity Church, Newport (Rhode Island Vital Record, x. 438, 443). Brenton's will, dated 16 March, 1765, proved 13 April, 1766, makes his son-in-law Martin Howard, Jr., of Newport, executor, and bequeaths to him a life estate in a farm at South Kingstown, with remainder to his grand-daughter, Ann Howard (Austin's Genealogical Dictionary of Rhode Island, pp. 254–257).

[2] I am indebted to the present Rector of St. Paul's, the Rev. F. B. Cole, of Wickford, Rhode Island, for this interesting extract from the parish Register. This entry was inaccurately printed by Mason in his Annals of Trinity Church, Newport, R. I., 1698–1821, p. 91. See Arnold's Vital Record of Rhode Island, x. 337, 343.

[3] Sabine says that "James Center married one of his [Howard's] daughters, and after her decease, became the husband of another" (Loyalists, i. 547). I do not find a record of either of these marriages, or of the birth or baptism of another daughter of Martin Howard. Elizabeth Howard may have been one of Center's wives, but that he did not marry her sister Ann Howard I shall hereafter show. Ann Howard's birth is imperfectly recorded in the Newport Town Records: —

Howard, Ann, of Martin, ... Aug. 15 —

(Arnold's Vital Record of Rhode Island, iv. 101).

Cygnet then riding at anchor in the harbor. Believing it to be unsafe to remain in the Colony, they sailed for England.[1]

The wreck of Martin Howard's house was complete. It stood on a lot of land bounded by Spring, Stone and Broad streets, the latter now known as Broadway, on which the house fronted. Not only were the contents of the house destroyed and thrown into the street, but doors and window-frames were torn out and an unsuccessful attempt was made to pull down the chimney. The house, in its dismantled condition, was sold by auction, after its owner's flight, to John G Wanton[2] who restored it. His family and descendants have since owned and occupied it.[3]

On his way to England, Howard tarried at Halifax, Nova Scotia, where, in the same year, he wrote two political pamphlets, the first of which was inspired by another written by Governor Hopkins, who had been his associate in the delegation from Rhode Island to the Colonial Congress at Albany in the summer of 1754.[4]

[1] Rhode Island Colonial Records, vi. 514 and *note*; vii. 196.

[2] John G Wanton had no middle name but assumed the initial G as a designation. A son of Governor Gideon Wanton, he was a Friend, a merchant of Newport, and a corporator of Rhode Island College, now Brown University. See Friends Records in Arnold's Vital Record of Rhode Island, vii. 37 (two entries), 80 (two entries), 211.

[3] Letter of Miss Maud Lyman Stevens.

[4] These pamphlets are entitled:—

I.

A Letter from a Gentleman at Halifax, to his Friend in Rhode-Island, containing Remarks upon a Pamphlet, entitled, The Rights of the Colonies Examined. Newport: M.DCC.LXV.

II.

A Defence of the Letter from a Gentleman at Halifax, to his Friend in Rhode-Island, Newport: M.DCC.LXV.

The facts concerning these publications are briefly told by Charles E. Hammett, Jr., in A Contribution to the Bibliography and Literature of Newport, R. I., 1887, p. 63:—

Late in 1764, Hopkins's pamphlet, "The Rights of [the] Colonies Examined," (with no other signature than the initial "P") was published at Providence by the authority of the General Assembly; shortly afterwards also with the imprint of William Goddard (Providence, 1765), and in the next year at London, by John Almon (London 1766), the title here being changed to "The Grievances of the American Colonies Candidly Examined." The position taken by Hopkins was also supported in James Otis's "Rights of the British Colonies Asserted and Proved" (Boston, 1764), but was opposed in the anonymous pamphlet, "A Letter from a Gentleman at Halifax to his Friend in Rhode Island, etc." (Newport, S. Hall, 1765), which was written by Martin

Howard did not remain long in England, whence he took passage for North Carolina, where great honors awaited him. The Assembly of 1767 divided the Province into five judicial districts, and adopted a new court law.[1] Moore says that—

Edenton, New-Bern, Wilmington, Halifax and Hillsboro were the points at which the Superior Courts were to be held, Martin Howard was Chief-Justice, and Richard Henderson and Maurice Moore were Associates. Judge Howard had recently been involved in trouble with the people of Rhode Island because of his opinions concerning the Stamp Act. He was a man of real learning in his profession, and of unusual literary culture for that period. It has been the habit in North Carolina to disparage his memory, but apart from his loyalty to the King and to England, the land of his birth, nothing remains to his discredit which might not be imputed to some of his associates on the North Carolina bench, who have been so abundantly eulogized in all our annals. Judge Howard, even in the heat of the Revolution, though sympathizing with the King, received the respectful consideration of such men as Judge Iredell, who had the magnanimity to ignore the small hatreds and defamations so prolific in all times of upheaval and change. Judge Maurice Moore was the son of General Maurice Moore, who came with his brothers Roger and George in 1710 to renew the ancient settlement of their grandfather, Sir John Yeamans. He was the most cultivated native North Carolinian of that time. He had been for years leader of the North Carolina Bar.[2]

Shortly after Howard's appointment to the Bench, and in the same year, he came to Boston and was painted in his official robes by Copley, as already stated. He married for his second wife, Abigail Greenleaf,[3] the young daughter of Stephen Greenleaf,

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Howard, Jr. In the same year appeared an answer to Howard by James Otis (published, however, anonymously) entitled "A Vindication of the British Colonies Against the Aspersions of the Halifax Gentleman, etc." (Boston, Edes and Gill, 1765). A second anonymous pamphlet by Howard was entitled "A Defence of the Letter From a Gentleman at Halifax to his Friend in Rhode Island" (Newport, Samuel Hall, 1765), and this, in turn, was answered by Otis in his anonymous pamphlet, "Brief Remarks on the Defence of the Halifax Libel on the British American Colonies" (Boston, Edes and Gill, 1765). See *Ibid.* pp. 66, 67.

[1] Moore's History of North Carolina, 1880, i. 99.

[2] *Ibid.* i. 99, 100.

[3] Abigail Greenleaf was born in Boston, 17 September, 1743 (Boston Record Commissioners' Reports, xxiv. 249). For several years, her parents were connected with the New South Church and the West Church, but they subsequently transferred their relations to Trinity Church. Her sister, Anstis

Sheriff of Suffolk, and tradition relates that the portrait was painted at the time of his marriage, no record of which, however, or of the publishment of it, is to be found in the Boston town or church records.

Returning with his bride to North Carolina, Judge Howard entered upon a short career which was marked by turbulence and great popular excitement. In his judicial capacity he had to deal with the "Regulators," of whom the Rev. Herman Husbands, "the ambitious Quaker," who has been fitly characterized as "a craven-hearted wretch [and] noisy demagogue," was a leader.[1] Moore thus describes the trial: —

Nearly four thousand men had assembled to watch the fortunes of a wretch, who could thus so easily agree to abandon their cause when danger seemed threatening himself. He was acquitted of the charge laid against him in the bill found by the grand jury, but William Butler and two others, far more innocent than Husbands, were convicted and committed to prison for six months, with the added punishment of heavy fines.

Colonel Edmund Fanning, likewise, was indicted at the same time in five different cases for extortion in office. He pleaded "not guilty" but was convicted in all and sentenced by the court to pay a fine of one penny in each case. These five entries in the handwriting of James Watson, Clerk of the Superior Court of Orange county, may be yet inspected, and are the dumb, yet eloquent witnesses of the eternal shame resting upon the memory of that court. It is hard to believe that Maurice Moore could have been consenting to such a mockery of justice. He had been loud in his denunciations of such crimes as those whereof Fanning now stood convicted, and had gone to such lengths that the partisans of Tryon were open in their charges of complicity on his part with the worst schemes of the Regulators. His subsequent course in the General Assembly, where he was so powerful in shielding the defeated insurgents, showed that he had not lost his sympathies for the outraged people. Again, when Judge Howard was driven from the court house in Hillsboro in 1770, Judge Moore was treated with consideration. The subsequent violence of the Regulators to both of his colleagues is proof positive that on the names of Martin

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Greenleaf, married Benjamin Davis (see these Publications, vi. 126). A very fine portrait of Mrs. Davis by Copley is owned by Mrs. Stephen Greenleaf Bulfinch of Cambridge.

[1] Moore's History of North Carolina, i. 117.

Howard, Chief-Justice, and Richard Henderson, his associate, should lie the odium of an infamous defeat of justice. They allowed Governor Tryon, with his loose morals and bad passions, to sully the reputation of a court which might have been illustrious for rectitude as it was for the real learning of the Judges. Howard has paid a fearful penalty in the obloquy historians have cast upon his name,[1] but Richard Henderson, in the virtues of his nobler sons, has been so mantled by charitable speeches, that his name has gone unwhipped of justice.[2]

McRee's estimate of the Chief-Justice is worth quoting: —

Martin Howard, . . . of . . . Rhode Island, . . . being forced by popular indignation to fly that province, sought shelter in North Carolina, where, after the suicide of Judge Berry, he was made Chief Justice by Governor Tryon; he was also a member of Tryon's council. His office as judge terminated with the expiration of the law creating the court, in 1773. He is represented by Jones, Wheeler and others, as devoid of all the virtues of humanity, a ferocious despot, an execrable copy of the English Jeffreys. I cannot but suspect that the picture has been exaggerated; it has been blackened out of all resemblance to any being who ever sat upon the Bench within my knowledge in North Carolina. The Judge was certainly the ablest lawyer, and the most highly cultivated member of his court. The fact that he was permitted to reside quietly on his plantation until July, 1777, when he

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[1] Bancroft, in his account of the North Carolina Regulators, says: —

Besides, the Chief-Justice was Martin Howard, a profligate time-server, raised to the bench as a convenient reward for having suffered in the time of the Stamp Act, and ever ready to use his place as a screen for the dishonest profits of men in office, and the instrument of political power. Never yet had the tribunal of justice been so mocked (History of the United States, 1854, vi. 184, 185).

Sabine briefly sums up the character and career of Chief-Justice Howard and says that —

The suspension from office of one who "was notoriously destitute not only of the common virtues of humanity, but of all sympathy whatever with the community in which he lived," was a matter of much joy. In 1775, he was present in Council, and expressed the highest detestation of unlawful meetings, and advised Governor Martin to inhibit and forbid the assembling of the Whig Convention appointed at Newbern. . . . . His reputation does not appear to have been good, nor does it seem that the calm and moderate respected him; while from others he sometimes received abuse, and even bodily harm. Careful pens speak of his profligate character, and of his corrupt and wicked designs, and aver that the members of the Assembly hated him (Loyalists of the American Revolution, 1864, i. 547).

[2] Moore's History of North Carolina, i. 117–119.

withdrew from the State; the further fact that he was kindly remembered by such a man as James Iredell, whose respect clung to him in his fallen fortunes, and the tone of the following letter, consist but badly with the moral deformity and atrocity attributed to him; and induce the belief that the removal of a little rhetorical lampblack will disclose a man, differing, it is true, politically, from the mass of the population, but in other respects, the peer of the proudest citizen of the realm. The letter of Howard to Iredell, dated 20th May, 1773, referred to by Jones as a confession of "malignity," has disappeared from Mr. Iredell's collection of papers.

LETTER OF MARTIN HOWARD TO JAMES IREDELL.

RICHMOND,[1] May 15th, 1777.

SIR: — Your favor from New Bern gave me no small degree of pleasure. An instance of civility to an obscure man in the woods, is as flattering as a compliment to a worn-out beauty, and received with equal avidity and delight. I have lately been so little accustomed even to the common courtesies of life, that a sentiment of kindness comes upon me by surprise, and brings with it a double, because an unexpected, pleasure.

I sincerely thank you for your obliging expressions; they give me more than I have a right to claim, and greatly overpay any marks of consideration which I may at any time heretofore have shown to you, and which your merit entitled you to receive from me.

I wish you could have conveniently fulfilled your intentions of riding to Richmond. My little family would have been glad to see you, and you would have seen, I think, the best piece of meadow in Carolina, whence (when I leave this country) you might be able to add one to the few observations which may be made upon an unimportant character, viz., that I had made two blades of grass grow where only one grew before — a circumstance among some nations of no small honor and renown. I wish you all happiness, and am, with real esteem,

Sir, your most ob't serv't.

M. HOWARD.[2]

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[1] Craven County.

[2] Life and Correspondence of James Iredell, one of the Justices of the Supreme Court of the United States, 1857, i. 363, 364.

I had hoped to glean some further particulars of Judge Howard's career in the South from the Records of North Carolina, but as these documents have been printed without index, table of contents or strict chronological arrangement, the value to historical students and scholars of the twenty volumes thus far published is seriously impaired.

During his residence in North Carolina, Howard presented to the Colonial authorities of Rhode Island a claim for compensation for the loss he had sustained at the hands of the Newport mob, in August, 1765. The riot and the resultant damage commanded the attention of Governor Ward and the Assembly for several years,[1] but, although the Chief-Justice's claim was persistently pressed, and reports upon the subject were made by committees, no settlement of it was ever effected. Howard's "Estimate of damage," amounting to £324.13.0, has been printed, in full.[2] It is dated at Newbern, North Carolina, 26 December, 1772, and contains one item of special interest: —

Four large family pictures, gilt frames; one by Sir Peter Lely £35.0.0

In the summer of 1777, as we have already seen, Judge Howard left North Carolina and sailed for a Northern port. Sabine[3] tells us that he revisited Rhode Island where, in conversation with Secretary Ward, he remarked: —

Henry, you may rely upon it, I shall have no quarrel with the Sons of Liberty of Newport; it was they who made me Chief-Justice of North Carolina, with a thousand pounds sterling a year.

The following year (1778) Howard went to England with his family and made his home in Chelsea in the County of Middlesex. In the Gentleman's Magazine for December, 1781 (li. 593), under date of 24 November, 1781, is recorded the death of —

Martin Howard, esq; chief justice of North Carolina.[4]

His burial is recorded in the Register of the parish of Saint Luke, Chelsea: —

[1781] Decr 1st Martin Howard, Esqr[5]

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[1] See Rhode Island Colonial Records, vi. 514, 588, 589; vii. 196, 216.

[2] Rhode Island Colonial Records, vii. 216.

[3] Loyalists of the American Revolution, i. 547.

[4] The date of Judge Howard's death is erroneously given by Sabine (Loyalists, i. 547) as December, 1781, and by Mason (Annals of Trinity Church, Newport, p. 91 *note*) as 9 March, 1782.

[5] I am indebted to the courtesy of the Rev. H. E. J. Bevan, the present Rector of St. Luke's, for this valuable register.

The following is the full text of Judge Howard's will: —

I Martin Howard Chief Justice of North Carolina now residing in Chelsea being very weak in body but of a disposing mind to make this my last will & testament, I give to my beloved wife Abigail Howard all my household furniture except what is in my Daughters Chamber & that I give to my beloved daughter Annie Howard together with the plate that was her mothers & Grandfather Howards all the rest of my Estate real & personal wheresoever it be I give & devise to my said wife Abigail Howard & my said Daughter Annie Howard to be equally divided between them & if either of them should die leaving the other the part of hers so dying to pass to the Survivor her Heirs & assigns. I appoint my said wife Abigail Howard & my said daughter Annie Howard to be Executrix's of this Will

M: HOWARD (L S)

Signed Sealed & declared by the Testator to be his last Will & testament in the presence of us this sixteenth day of October one thousand seven hundred & Eighty one.

MARY TIMMINS ROBERT PALMER. JOHN TIMMINGS.[1]

After Judge Howard's death, his widow and daughter Ann returned to America, and the daughter appears to have resided for a time at Newport. There, on the Register of Trinity Church, we find the following entry of marriage under date of 16 June, 1787: —

Andrew Spooner to Ann Howard.[2]

Andrew Spooner was a Boston merchant of good family. He was born in Boston 14 March, 1763, the son of John and Margaret

[1] The will was proved in the Prerogative Court of Canterbury, at London, 14 January, 1782, when administration "was granted to Abigail Howard, Widow, the relict & Annie Howard Spinster, the daughter of the said Deceased." An exemplified copy of this will was sent to Boston and recorded in the office of the Secretary of the Commonwealth (Volume lettered Probate Courts, 1761–1784, pp. 158, 159). It was also recorded in the Records of Land Evidence of Newport, Rhode Island, viii. 497, 498. It will be observed that the will makes no mention of any descendant of the testator except his daughter Ann; but see his letter to Judge Iredell (above, p. 392) in which he refers to his "little family," and Sabine's statement quoted above (p. 387, *note*).

[2] For this and other extracts from the Register of Trinity Church, Newport, I am indebted to the courtesy of its Rector, the Rev. Henry M. Stone. I also wish to acknowledge my indebtedness to our associates Mr. Albert Matthews, Mr. Henry W. Cunningham and Mr. Henry E. Woods for valuable aid in the preparation of this paper.

(Oliver) Spooner,[1] and grandson of John Spooner who emigrated to Boston from England.[2] He occupied a three-story wooden house belonging to John Trecothick Apthorp which stood on the westerly side of Bowdoin Square at the corner of Green Street.[3] At Trinity Church, Boston, we find the Spooners as well as Mrs. Spooner's step-mother, among the worshippers. The Register records the baptism of two children, — Ann Howard Spooner, 11 June, 1788, and Andrew Spooner, 15 November, 1789; and the burial of their mother, Mrs. Anna Howard Spooner, at Milton, at the age of thirty-six, on the twenty-third of March, 1791. On the twenty-ninth of April, 1798, the intentions of marriage of Andrew Spooner and Elizabeth Sparhawk of Cambridge, a great grand-daughter of Sir William Pepperrell, were recorded at Boston.[4] To them was born a daughter, Elizabeth Sparhawk Spooner, who was baptized at Trinity Church 27 March, 1800.[5] Her mother died in the following autumn, and the Trinity Church Register records her burial at Cambridge, at the age of thirty-two, on the eighth of September. Mr. Andrew Spooner did not long survive his wife. The Columbian Centinel of Saturday, 23 January, 1802 (No. 1862, 3/1), contains this announcement: —

DIED. At Laguira, Mr. Andrew Spooner, of this town, Æt. 38.

Before following the descendants of Andrew Spooner, let us retrace our steps and note the fortunes of Judge Howard's widow. At the time of her husband's death, Abigail Howard was in her thirty-ninth year. She returned to Boston, and, her mother having

[1] Boston Record Commissioners' Reports, xxiv. 306; xxx. 58.

[2] See Bond's Genealogies and History of Watertown, pp. 905, 906, for a sketch of this family of Spooner. See also Suffolk Probate Files, Nos. 13.391 and 14.399.

[3] Boston Record Commissioners' Reports, xxii. 250.

[4] *Ibid.* xxx. 470. Elizabeth Sparhawk was also a lineal descendant of Chief-Justice Sewall and a niece of the second Sir William Pepperrell (Materials for a Genealogy of the Sparhawk Family in New England, in Essex Historical Collections, vols. xxv., xxvi., xxvii.). Her father, Nathaniel Sparhawk, Jr., married his cousin-german Catherine Sparhawk, 1 January, 1766, at Kittery (Kittery Church Records), where their eldest daughter, Elizabeth — recorded Eliza — was baptized, 6 December, 1767 (*Ibid.*).

[5] The Jarvis Family (Hartford, 1879), p. 209 gives the date of Elizabeth Sparhawk Spooner's birth as 25 November, 1799.

died[1] more than a year before Judge Howard, she again became a member of her father's household. Her youngest sister, Hannah Greenleaf, had married, as his second wife, John Apthorp, a wealthy merchant of Boston and London, on the twelfth of December, 1765, and had gone to reside in Little Cambridge,[2] in a mansion house built by his father, Charles Apthorp,[3] one of the great merchants of Boston, who died in 1758. In consequence of Mr. Apthorp's delicate health, he and his wife sailed for Charleston, South Carolina, "on board a vessel which, though spoken when a few days out, was never afterwards heard from. It was late in the autumn [of 1772], a severe snowstorm followed them, and it was supposed that the ship was lost at sea with all on board."[4] Their three children, who had been left in the care of their maternal grandparents, found with them a permanent home where they were tenderly and faithfully nurtured until their marriage.[5] Their

[1] The Register of Trinity Church records the burial of Mrs. Mary Greenleaf, wife of Stephen Greenleaf, Esq., 23 September, 1780, at the age of 68.

[2] Little Cambridge, legally known as the Third Precinct of Cambridge, was that part of the town which was south of the Charles River. It was incorporated as the town of Brighton 24 February, 1807.

[3] For notices of Charles Apthorp and his family, his portrait, and a view of his mural monument, see Foote's Annals of King's Chapel, ii. 142–147, 466.

[4] The Life and Letters of Charles Bulfinch, Architect, 1896, p. 70.

[5] These children of John and Hannah (Greenleaf) Apthorp, born between 1766 and 1772, were named Hannah, Frances Western, and John Trecothick. I have been unable to find any public record of their birth or baptism. (i) Hannah married her cousin, Charles Bulfinch, the architect, 20 November, 1788 (Trinity Church Register), and died 8 April, 1841, aged 74 (Boston City Records). (ii) Frances Western married Charles Vaughan, 7 July, 1791 (Trinity Church Register), and died at Hallowell, Maine, 10 August, 1836 (Letter of Francis W. Vaughan). A family letter, dated 27 February, 1790, states that she would be of age in November of that year. (iii) John Trecothick died 8 April, 1849, aged 79 years, 3 months, and 15 days (Boston City Records).

John Apthorp's will, dated 8 October, 1771, was proved 19 December, 1772. It makes generous provision for his two daughters in England, Grizzell and Catharine, children of his first wife,[1] and for his then wife, Hannah (Gren-

[1] Mr. Apthorp's first wife was Alice (or Alicia) Mann, born 30 May, 1739, daughter of Galfridus Mann and niece of Sir Horace Mann, British Ambassador to Florence from 1740 till his death, 6 November, 1786 (Betham's Baronetage, 1803, iii. 255, which gives his name as Horatio). She died at Gibraltar, 20 October, 1763 (Foote's Annals of King's Chapel, ii. 143, 144, *notes*). Her brother Horatio Mann (1737–1814), who succeeded his uncle in the baronetcy, changed his given name to Horace, and thus, perhaps, arose the confusion in the minds of American writers who have described Mrs. Apthorp, some as *sister* and others as *niece* of Sir Horace Mann, British Minister at Florence.

grandfather Greenleaf was appointed their guardian 28 December, 1772.[1] Bereft of his wife, the old Sheriff needed the companion-

leaf), and her three children. He names as one of his executors his brother-in-law Martin Howard, Chief-Justice of North Carolina, who accepted the trust (Middlesex Probate Files).

Sheriff Stephen Greenleaf, the last to hold the shrievalty in Suffolk under the Crown, was so fortunate as to escape the confiscation of his property at the Revolution. He was rich and lived on a fine estate in Tremont Street facing the Common. His mansion was adorned with many fine portraits from the pencils of Blackburn and Copley, which have survived to our own time. The portrait of himself and that of his daughter Mrs. Davis are owned by Mrs. Stephen Greenleaf Bulfinch of Cambridge (see above, p. 390, *note*). In his will, dated 15 May, 1787, proved 10 February, 1795, he bequeaths to his daughters Mary Phips and Abigail Howard all his family portraits except that of his daughter Hannah Apthorp, deceased, which he gives to her children. He then devises two fifth parts of all his real and personal estate to his daughter Mary Phips, and two fifth parts to his daughter Abigail Howard. The following paragraph of the will explains the reason for this unusual division of his property and recalls the fallen fortunes of two of his sons-in-law: —

> Item. In consideration of the children of my late daughter Apthorp, deceased, having a handsome estate left them by their father, and considering also the reduced circumstances of my two aforesaid daughters by the late War, I think it right and hope they will esteem it so to give only the remaining fifth part of my estate to my said Grandchildren, and accordingly I do hereby give and bequeath to Hannah Apthorp, Frances Western Apthorp and John Trecothick Apthorp, the three children of my daughter Hannah Apthorp, deceased, one fifth part of all my estate, real and personal, to be divided equally between them or the survivors of them their heirs and assigns forever as they shall respectively come of age.

The executors named in the will are the Rev. Dr. Samuel Parker, Joseph Greene, William Scollay and the testator's daughter, Abigail Howard (Suffolk Probate Files, No. 20.395).

Sheriff Greenleaf's mansion has been described by Col. John T. Apthorp, one of the orphan grandchildren referred to: —

> You know the place where their childhood was spent, — the fine old house, standing back from the street, on about the spot where Temple Place now is, the whole space to the corner of West Street being enclosed in the garden attached to the house (afterwards known as Washington Gardens). I remember well the low brick wall that enclosed it, and the fine old trees that overhung the street, and the belt of shrubbery that bordered the wall (The Life and Letters of Charles Bulfinch, Architect, 1896, p. 70).

This estate was acquired by Mr. Greenleaf by several purchases between 1742 and 1754. It had a frontage of two hundred and ninety-two feet on Tremont

[1] Suffolk Probate Files, Nos. 15.270, 15.271, 15.272.

ship of his widowed daughter and her aid in the care of his orphan grandchildren. He lived to the great age of ninety-one and was buried in his own tomb under Trinity Church, of which he had been a Warden, on the twenty-ninth of January, 1795.[1]

In less than a year after her father's death, — on the sixth of January, 1796, — Abigail Howard purchased of Charles Bulfinch, for $5,000, the estate numbered thirteen in Franklin Place, now Franklin Street, Boston.[2] The house was in the Tontine Crescent,[3] — the fourth house below Hawley Street, the north-westerly line of the estate being about eighty-three feet south-west from Hawley Street. The locus is nearly identical with the estate now numbered fifty-three and fifty-five in Franklin Street. Here, Madam Howard lived, in a handsomely furnished and well-appointed house, having for neighbors many of the most prominent citizens of Bos-

Street, extending from St. Paul's Church, westerly, to the corner of West Street on which it measured one hundred and forty-two feet and four inches. The lot was two hundred and ten feet deep on the north-easterly line, — next to the church property; but the symmetry of the estate was destroyed by a lot having a frontage of sixty-five feet and nine inches on West Street and a depth of one hundred and ten feet which Mr. Greenleaf did not acquire. This property was appraised at Mr. Greenleaf's death at the modest sum of $15,000.00. It was sold by his executors for $18,166.66 to Henry Jackson, Esquire, of Boston (Suffolk Deeds, clxxxii. 229), and later was conveyed to Trustees for Madam Swan. As an illustration of the enormous rise in the value of real estate in Boston during the past century, it is interesting to note that the sixteen estates now constituting the Greenleaf property, — seven on Tremont Street, eight on Temple Place, and one on West Street, — were taxed in 1902 by the Boston assessors for $3,714,000, of which amount $3,297,800 was on the 38,938 square feet of land, and $416,200 on the buildings.

[1] Trinity Church Register.

[2] Suffolk Deeds, clxxxii. 78. Madam Howard's executor sold this estate for $6,000 to John Quincy Adams, 18 January, 1802 (*Ibid.* cc. 45).

[3] A block of sixteen three-story brick dwelling houses built by Bulfinch on the south-westerly side of Franklin Place between Hawley Street and what is now Devonshire Street. A plan and elevation of the Tontine Crescent appeared in the Massachusetts Magazine for February, 1794 (iv. facing p. 5), which states that the entire range of the Crescent will be four hundred and eighty feet long, that half of it is nearly completed, and that work upon the remainder will be pushed in the spring (*Ibid.* p. 67). The Plan is reproduced in 1 Proceedings of the Massachusetts Historical Society for April, 1794, i. between 66, 67. This block of houses stood until about 1855 when they gave place to stores and warehouses. See The Life and Letters of Charles Bulfinch, Architect, 1896, pp. 97–104.

ton;[1] but she was not destined long to enjoy the quiet comfort of her new home. On the twentieth of May, 1800, her nephew, John Trecothick Apthorp,[2] represented to the Judge of Probate that his aunt was a person *non compos mentis;* and, in due course, Mr. Apthorp was appointed her guardian.[3] After a lingering illness, her death[4] was announced in the Columbian Centinel of Saturday, 3 October, 1801 (No. 1832, p. 2/4): —

DIED.] Mrs. ABIGAIL HOWARD, Æt. 58, daughter of Stephen Greenleaf, Esq. late Sheriff of the County of *Suffolk*, and widow of Martin Howard, Esq. formerly Chief Justice of *North-Carolina*. — Her funeral will proceed from the house of her nephew, Mr. John T. Apthrop [Apthorp], at the bottom of the Mall, on Monday afternoon, at 4 o'clock, which her relations and friends are requested to attend without further invitation.

From Mr. Apthorp's account as guardian of Madam Howard, allowed by the Probate Court on the thirteenth of October, 1801, I copy the following interesting item: —

1800. July, By Cash for a Bill of Exchange for her Pension in England, $227.12.

Madam Howard's will[5] directs that her body be buried in her father's tomb under Trinity Church. It makes many bequests to relatives[6] and friends and disposes of much plate and many other valuables. Mrs. Elizabeth Grant of Chelsea College, England, receives a legacy of five guineas. To her eldest and only surviving

[1] The beautiful Miss Emily Marshall, afterwards Mrs. William Foster Otis, also lived with her father, Josiah Marshall, in the Tontine Crescent, — in the house nearest to the Federal Street Theatre, which Mr. Marshall bought in 1823 (Suffolk Deeds, cclxxxi. 134).

[2] Mr. Apthorp had been a Warden of Christ Church, Cambridge, in 1796; and he was Treasurer and Receiver General of the Commonwealth, 1812–1817.

[3] Suffolk Probate Files, No. 21.249.

[4] The Trinity Church Register records her burial 5 October, 1801.

[5] Suffolk Probate Files, No. 21.534. The will is dated 10 October, 1798, and was proved 13 October, 1801.

[6] Among these bequests is one to her niece Frances Western Apthorp, daughter of John and Hannah (Greenleaf) Apthorp, who subsequently married Charles Vaughan, Senior, whose son, Charles Vaughan, Jr., was the father of Mr. Francis Wales Vaughan, the Librarian of the Social Law Library, who discovered the identity of the Copley canvas, long in his official custody.

sister, Mary Phips, wife of David Phips, Esquire,[1] Madam Howard gives "all my portraits, that of my late Husband excepted."[2] A paragraph of special interest is in these words: —

Item. To Andrew & Ann Howard Spooner, children of Andrew Spooner by Ann Howard his late Wife, I give my certificates of Six & three percent Stock of the united States Debt & also one half the money that has arisen or shall arise from the sale of a Lot of Land in Newport on Rhode Island which was the Property of my late husband Martin Howard, Esqr to be equally divided between them. To the said Andrew I also give the Portrait of his Grandfather, my late Husband, & the History of Charles 5 in three Vol. Quarto, & To said Ann I give my gold Watch & one Doz^n silver Tea Spoons.

Madam Howard gave her library to the Boston Library Society, bequeathed the residue of her estate to the Boston Episcopal Charitable Society, and named the Rev. (afterwards Bishop) Samuel Parker, D.D., sole executor of her will.

The story of Andrew Spooner's descendants, so far as our present interest is concerned, is briefly told. On the eighth of February, 1802, his three children, Anna Howard Spooner, Andrew Spooner, and Elizabeth Sparhawk Spooner were placed under the guardianship of their uncle, William Spooner, M.D.,[3] a prominent physician of Boston.[4]

[1] David Phips (H. C. 1741) was a son of Lieutenant-Governor Spencer Phips. Born in Cambridge, 25 September, 1724, he held the offices of Colonel of the militia, Representative to the General Court, in 1753, and Sheriff of Middlesex, 1764–1774. He married Mary Greenleaf, eldest daughter of the Sheriff of Suffolk, 13 September, 1753 (Trinity Church Register), by whom he had seven children (1757–1770). He inherited his father's homestead on Arrow Street, near Bow Street, Cambridge, later known as the William Winthrop estate, where he resided till the Revolution, when he adhered to the Crown. Paige says that he "went with his family to England, where he died, 7 July, 1811. His estate here was confiscated; but the loss was repaired by benefits which the British Government bestowed on him and on his children" (History of Cambridge, p. 627).

[2] The Inventory mentions the portrait of Judge Howard which is appraised at fifty dollars, and "5 painted, 2 Gilt frame family Pictures $100" (Suffolk Probate Files, No. 21.534).

[3] Suffolk Probate Files, Nos. 21.596, 21.597, 21.598.

[4] Dr. Spooner graduated at Harvard College in 1778. He was an Overseer of the College (1810–1834), Fellow of the American Academy of Arts and Sciences, and a member of the Massachusetts Historical Society.

Andrew Spooner, the younger, at the age of eighteen, went to France, where he ever after continued to reside, making but one short visit to his sisters in America. He was twice married; and at his death, he left two adult children, a daughter, who subsequently married, and a son, also named Andrew Spooner, who went to Singapore in a mercantile capacity, but he was more interested in science, especially in chemistry, than in commerce and finally returned to France.[1] As Copley's portrait of Chief-Justice Howard was, as we have seen, bequeathed to Andrew Spooner, and was presented to the Social Law Library by his sister of the full blood, the inference is not unreasonable that he gave it to her at or subsequent to the time of his expatriation.

Elizabeth Sparhawk Spooner married at Surry, Maine, on the twentieth of September, 1818, Edward Scott Jarvis,[2] of that town, a son of Leonard Jarvis, merchant of Boston and Cambridge, became the mother of nine children, and died 10 June, 1880.[3]

Anna Howard Spooner, though baptized, as we have seen, at Trinity Church, early became a communicant at the Church in Brattle Square with which her father's family had been for half a century in fellowship and where he himself was baptized by Dr. Samuel Cooper, 20 March, 1763. Here we find her name enrolled, under date of 4 May, 1806, among those who joined the church during the short ministry of Joseph Stevens Buckminster, one of whose classmates at Harvard she was one day to marry. The social position of her uncle, Dr. Spooner, who was allied to the Winthrops and Phillipses, and of her step-mother's kindred, — the Apthorps, the Bulfinches and the Vaughans, — brought her

[1] For these and other facts pertaining to the Spooners I am indebted to the kindness and courtesy of Miss Isabella Mary Hubbard Jarvis of East Oakland, California, a daughter of Edward Scott Jarvis. The following extract from a recent letter of Miss Jarvis is of interest: —

I remember very distinctly seeing the Commission of Chief-Justice Howard in my Aunt's [Anna Howard (Spooner) Jarvis] possession. It was written on parchment, signed by the King's own hand, sealed with the Royal Seal, and tied with a broad blue ribbon. I wish that I had it now; it would be almost invaluable, but it was destroyed by fire long years since.

[2] Edward Scott Jarvis was Collector of the Customs for the District of Frenchman's Bay, Maine, 1818–1841 (Letter of the Hon. James Phinney Baxter).

[3] The Jarvis Family, Hartford, 1879, p. 209 and Supplement, p. 12.

into close relations with all that was best in Boston society during the early part of the nineteenth century. We catch a glimpse of her in the family letters of Charles Bulfinch[1] and learn from them that his wife regarded her as her child, — a beautiful tribute to her character when it is remembered that Miss Spooner was merely a connection by marriage without a single tie of blood. After her half-sister's marriage, Anna Howard Spooner also removed to Maine and long resided in that part of Surry which is now Ellsworth, in the County of Hancock.[2] There, on Christmas Day, 1844, at the age of fifty-six, she became the second wife[3] of the Hon. Leonard Jarvis,[4] an elder brother of Edward Scott Jarvis. Leonard Jarvis, born at Cambridge 19 October, 1781, — the day of Cornwallis's surrender, — graduated from Harvard College in 1800, in the Class with Chief-Justice Shaw,[5] Washington Allston, the Rev. Dr. Charles Lowell, the Rev. Joseph Stevens Buckminster, Loammi Baldwin, and Joshua Bates, President of Middlebury College. After a mercantile career in Boston, France and South America, he settled in Maine, where he was Collector of Eastport and Sheriff of the County of Hancock, and was elected a member of Congress. He also held the office of United States Navy Agent at Boston during the administration of Van Buren. He died at Surry on the eighteenth of September, 1854, at the age of sixty-two.[6] After Mr. Jarvis's death, his widow removed to California, where she made her home with the family of Edward Scott Jarvis. Her health, which was then delicate, was restored by the more salubrious climate of California. She died, greatly beloved by all who knew her, at Newark, Alameda County, California, on the twelfth of January, 1889, having attained the great age of one hundred years and seven months.

[1] The Life and Letters of Charles Bulfinch, Architect, 1896, pp. 239, 258.

[2] See Suffolk Deeds, ccccii. 302, and ccccv. 233.

[3] Mr. Jarvis's first wife was Miss Mary Hubbard Greene of Boston, to whom he was married 15 August, 1816, by his classmate the Rev. Charles Lowell (West Church Records).

[4] Town Records of Surry.

[5] As we have already stated (above, p. 385, *note*), Chief-Justice Shaw was a Trustee of the Social Law Library in 1829 when Mrs. Jarvis, then Anna Howard Spooner and sister-in-law to Leonard Jarvis, gave her grandfather's portrait into its keeping.

[6] Palmer's Necrology of Alumni of Harvard College, 1864, p. 39.

Mr. ANDREW MCFARLAND DAVIS read the following paper: —

"PREVIOUS LEGISLATION"
A CORRECTIVE FOR COLONIAL TROUBLES.

I submit herewith a copy of a document recently acquired by the Boston Public Library. It came into my hands through the courtesy of our associate Mr. Worthington C. Ford. My purpose in communicating it to this Society is to secure the record of an opinion which I have expressed to Mr. Ford as to the date of its origin, and to add thereto a few words as to the peculiar views held by the writer of the paper on the extent of the power of Parliament in legislating concerning Colonial affairs. The sentences in the document which occasion this last suggestion are obscure, and refer to certain contemporaneous events in such a manner as not to make clear the atrocity of the opinions expressed, except to one who is familiar with the affair to which they refer; but when their meaning is explained it is evident that their presence adds greatly to the value of a document which, upon its face, is an interesting contribution to the history of the currency emissions of the first half of the eighteenth century.

Inasmuch as the paper has neither date nor address, its exact purpose is difficult to determine, but a mere superficial examination is all that is needed to show that it was prepared during the efforts made to secure Parliamentary legislation with reference to the Colonial currency emissions, about the year 1741. There are references by date to Colonial legislation of 1740, and to a Parliamentary Act of 1741, the latter being the latest date mentioned. During the period of the paper-money craze in the Colonies, Parliament had spasms of activity in discussing the evils of the currency and the possible remedies that could be applied. This activity was promoted, or perhaps at times held back, by outside pressure, just as legislation is forwarded or hindered to-day by the lobby. The subject was before the House of Commons in 1740, after which it disappeared from the Records until 1744. Then it reared its head again, and this time the opponents of paper-money showed such strength that legislation for the restraint of the currency emissions of the Colonial governments would have been secured had it not been for the military situation caused by the

war with the French. Louisburg could not have been captured except through the emission of paper-money by Massachusetts. During the interim between 1740 and 1744, it is not to be supposed that the opponents of the Colonial paper-money were quiet. They could petition the Board of Trade, and if the subject was before any Committee of the House of Commons, they could lay their views before such Committee. The document which we are considering was evidently written for some such purpose as this. It is rather in the nature of an argument than of a petition, and it may have been prepared by the writer for use by some person other than himself. It sets forth, in vigorous language, the evils resulting from the Rhode Island emissions. These were vastly disproportionate to the size of the Colony, and the greater part of them were made merely for the purpose of lending the currency thus created to citizens of the Colony. The current expenses of the Colonial Government were met by the interest derived from these loans, and the borrowers in turn profited by lending what they had borrowed to citizens of Massachusetts at a higher rate of interest. The emissions made by the Colony of Rhode Island for this purpose were called Banks, and were referred to occasionally in legislative Acts as the First Bank, the Second Bank, and so on. It is through references to one of these transactions that we are enabled to fix, within a few months, the date of this paper. The document also contains certain assertions as to the amount of the bills of public credit of the Colony of Rhode Island then in circulation. It is of course essential that these figures should agree with the facts as to the bills outstanding which we find in the official statements of the Colony, at the supposed date of the writing.

The subject of the Rhode Island emissions is treated by Douglass, in his Discourse Concerning the Currencies of the British Plantations in America, *etc.*, 1740 (pp. 11–13), in a section which is headed "Rhode Island." Any person who will compare this paper with the language used in that section will see that the arguments are identical in both, and cannot fail to be struck with the similarity of the two in the construction of their sentences, in the epithets used, and in the general tone that pervades them. The conclusion is inevitable that the paper was either written by Douglass himself, or by some person who, in making use of the

arguments furnished by the Discourse, appropriated also Douglass's unpolished style and his aggressive method of attack. The manner in which the entire paper is permeated with this individuality indicates that the first proposition is the more probable of the two.

One of the conditions as to the date of the document imposed by the writer is that there should have been in circulation at that time four hundred thousand pounds of the bills of public credit of the Colony of Rhode Island. It is true that, in the second clause of "Seventhly" in the paper, the statement is made that they — *i. e.* the Government of Rhode Island — "have now outstanding upwards of £40,000," — the amount being stated in figures. This is obviously an error, and any person familiar with the history of the Rhode Island emissions would not hesitate to add the cipher which has been carelessly dropped; but we are fortunately relieved from compulsory reliance upon knowledge of this sort through the fact that, at another point in the paper, under what is termed the Second Reason, the writer states, and this time definitely, in words, that "Rhode Island . . . have now Extant four hundred thousand pounds in their Bills of Credit." Turning to the official statements which from time to time were made in response to demands from the Board of Trade, or other recognized authorities in London, we find that a Report was made by the Governor of the Colony, about the time that we are compelled to consider, which upon its face does not seem to comply with the facts set forth in the paper, but which may be so construed as to fulfil the conditions therein imposed. The Report[1] in question was made by Governor Ward, 9 January, 1740–41, and contains a statement that the bills outstanding then amounted to £340,000. In this Report the then recent emission of the Seventh Bank was put at £20,000. These bills were, however, of the New Tenor, and were equivalent to £80,000 Old Tenor. All the rest of the currency amounts given in the Report are in Old Tenor; and if we reduce this item to the same term, we have the bills outstanding in Rhode Island at that date, according to the official statement of the Governor of the Colony, £400,000. An examination of the statements of the currency emissions of other Colonies made at this time will reveal the fact that no recognition was made in these returns of the different pur-

[1] Rhode Island Colonial Records, v. 8–14

chasing power of the bills of the different tenors. This, of course, introduces a perplexing element in the official tabulations which the student of to-day is compelled to remedy as best he may. Dr. Douglass, in discussing the Massachusetts Currency, tabulated the outstanding bills in 1748 in Old Tenor. He says, "This table is reduced to Old Tenor, because our current way of computing is by Old Tenor."[1] In the same way Hutchinson, in 1747, estimated that there would be about two million two hundred thousand pounds outstanding in bills of the Province of the Massachusetts Bay, in 1749.[2] All the bills emitted under Shirley's administration were of the New Tenor, and an advocate of the paper money might have claimed that the bills outstanding ought to be stated in terms of New Tenor rather than Old Tenor. Nevertheless, what Douglass says is undoubtedly true. It was the custom to compute in Old Tenor, and the writer of this paper was justified in stating the Rhode Island bills outstanding in 1741 in that tenor. They practically remained at the figure which he gives until 1744.

It is during this period that we must look for the Bank of which, under "Secondly," the writer says: —

"The last Emission being more Wicked they have reduced it [*i. e.* the rate of interest] to 4 p C: for 10 years & no Interest for 10 Years more,"

and of which he further says, in the third section of "Seventhly,"

"by the Emission Loan of this year they have lowered [interest] from 5 to 4 p C: p Ann."

If we can find an emission which absolutely complies with the above conditions, and which was late enough to permit the expression "this year" to apply to it at the same time that the writer could refer to an Act of Parliament passed in 1741, then we have the means of fixing the date of the paper with certainty. The Seventh Bank seems to comply with all these demands, with the exception that if by the expression "this year" the writer meant "this calendar year," then this Bank must be excluded from consideration; but if "within twelve months" was meant, then we have a complete compliance with all the requisites of the description of the Bank above given.

[1] *Cf.* William Douglass's Summary, *etc.* (edition of 1749), i. 493, 494.

[2] History of the Province of Massachusetts Bay (edition of 1767), ii. 436.

The Seventh Bank was originally created in September, 1740. At that time it was enacted that an emission of £20,000 should be made in bills which were to read that they were in value equal to a certain weight in silver, the same being proportioned to the denominational value of the bill and the rate of silver fixed upon for the emission being nine shillings an ounce. Silver was then worth twenty-seven shillings an ounce in Old Tenor, and it was provided that all fees should be one-third as much in the new bills as they had been in Old Tenor. In consequence of Instructions received from the Lords Justices of Great Britain, a new Act was passed in December of the same year, substituting for these bills a new emission rated in silver at 6s 9d an ounce. Fees, by this Act, were made one quarter as much in the new bills as they had been in Old Tenor, and, later, it was specifically enacted that 6s 9d in the new bills were equivalent to 27s in bills of the Old Tenor, thus definitely placing them on the basis of one to four. These proceedings are referred to in the paper in the second subdivision of the fourth section under "Seventhly," in the following words: —

"In the Additional Act to the Emission Act of Anno 1740, they make some Amendm^{ts} in s^{d} Act Viz^{t} That instead of one of these, equal to three of the former, shall be equal to four of the former; because not exactly Agreeable to a late Instruction from ye Lords Justices of Great Britain."

In the Additional Act, not only was it provided that the bills at the new rate for silver should be substituted, but the entire programme for loaning the bills was re-enacted — thus raising a question whether the loans actually ran from the month of September or from December of the year 1740. They were to be for ten years, and were then to be paid in ten equal annual instalments. There was nothing in the language of either of these Acts which would specifically indicate that no interest was to be paid after the maturity of the loan; but this was clearly the case in some of the former Banks, after which this was modelled, and the custom may be inferred.

The Eighth Bank was established in February 1743–44 and the loans were for ten years at four per cent, and were then to be paid in ten equal annual instalments. This Bank must, however, be

excluded from consideration, because, interest having already been placed at 4 per cent, it does not comply with the requisite that by this emission the interest should be reduced from five to four per cent. On the whole, then, it may be concluded that the Seventh Bank was the one referred to, and that in making use of the expression "this year" the writer merely meant to say "within a year." This would fix the date of the paper in the year 1741. The Act of Parliament referred to by the writer must have been the Act for Restraining and Preventing Several Unwarrantable Schemes in the American Plantations.[1] This was approved by his Majesty 25 April, 1741. The paper was, therefore, probably written in the summer of 1741.

It remains for me to point out the language used by the writer of the paper in which he discloses his views as to the powers of Parliament in legislating for the Colonies. At the beginning of the paper the fact is alluded to that Parliament had called upon his Majesty to issue Instructions to the Governors of the several Colonies not to assent to any Act for the emission of bills of credit, unless such Act contained a clause that the same should not take effect until approved by his Majesty. The writer then goes on to say: —

"To evade this, Some lawless Combinations were Entre'd into for forcing a Currency by large Emissions of private Bills; these having the same or a Worse Effect, but not being under the restriction of Royal Instructions, and without the reach of any former Act of Parliament, The Legislature of Great Britain found it requisite to Suppress them by a previous Act."

This refers to the steps taken for the suppression of the Massachusetts Land Bank, in 1740. What those steps were was fully disclosed in an account of the Land Bank which I communicated to this Society in 1895.[2] The subject was again briefly discussed in a paper on the relation of the Currency question to the Politics of the Province read by me at our April Meeting in 1899,[3] and was again brought up at our January Meeting this year, in a discussion

[1] 14 George II. c. xxxvii. The Statutes at Large (edition of 1742), vii. 473, 474.

[2] See Publications of this Society, iii, 22, 23.

[3] See *Ibid.* vi. 157–172.

with reference to the effect of the Navigation Laws upon the prosperity of the Colonies,[1] which followed the reading of a paper by our associate Worthington C. Ford. Before embarking once more upon a subject which has so often and so fully been considered by the Society, some apology ought, perhaps, to be made for bringing it up again; but it will be readily understood that the full comprehension of what the writer meant by the suppression of an organization "by a previous Act" may require something more than a mere statement that it has already been explained how this was accomplished. I think, therefore, that I shall be entitled to your indulgence if, for this purpose, I briefly recapitulate the following facts, which have been set forth in detail in the first of the papers above alluded to.

In 1735, the Attorney General, to whom some question had been submitted by the Board of Trade as to the legality of the acts of certain people in Boston who either had organized or proposed to organize, a Bank of some sort, replied that he could see no objection thereto in point of law. In 1736, the Board of Trade actually put itself on record as approving the acts of the merchants of Portsmouth, New Hampshire, who had organized a Company for the emission of bills of credit. In 1741, when Parliament undertook to pass an Act through which the Land Bank could be suppressed, the situation was precisely that described by the writer of the paper we are considering. The Land Bank was "without the reach of any former Act of Parliament," and the act of its organizers could not be punished through any existing legislation. The English law-makers, therefore, proceed to enact that the so-called Bubble Act, originally passed in 1720, for the suppression and prevention of similar organizations, but which, by its terms, was limited in its application to Great Britain, did originally apply and had continuously applied to the Colonies. With this in mind, the phrase "the Legislature of Great Britain found it requisite to Suppress them by a previous Act," becomes apparent.

That the atrocious nature of this legislation did not impress the writer of this paper is evident. That it was generally accepted by the hard-money men in the same approbatory spirit will perhaps be assumed from the manner in which Hutchinson, in his narrative of

[1] See Publications of this Society, vi. 305–307.

these events, refers to the then unquestioned control of Parliament over public and private persons and proceedings in the Colonies.[1] In view of the extent to which this matter has already been discussed before this Society, the mere use of this language would not, perhaps, justify this review of the action of Parliament in 1741, were it not for the added emphasis given to the opinions of the writer by what he goes on to say in the next paragraph. These are his words: —

"If the Colony of Rhode Island Acting under a Charter by Setting up Banks, (the name given in their Acts to their Several Emissions of Loan Money) and Settling of Fees for Transferrs of Rights, as they are Called, do not fall within the explicit design of the Acts Anno 1720 and 1741; There Seems to be an Absolute Necessity for another previous Act of Parliament to put a Stop to their Iniquitous Lawless proceedings in this Affair. . . ."

Previous legislation as a corrective for Colonial troubles, could, in the opinion of the writer, be created at any time and to meet any emergency. This opinion as to the power of Parliament in this line is certainly extraordinary.

The text of the document under discussion is as follows: —

Upon Some late Complaints of the Great Damages Sustained by the Traders from Great Britain, and ye Confusion in Business Arising from a depreciating fallacious paper Currency in the British Plantations in America; The Parliament have taken this Affair into Consideration: But as the Circumstances of the Several Colonies may be Various and different the British Legislature are pleased to take time Maturely to deliberate concerning the most easy and Effectual Methods for Sinking and discharging the same in all the British Colonies with the least prejudice to their respective Inhabitants, and Interruption of ye Comerce of Great Britain.

In the mean While to put a Stop to the further growth of this Evil, the Parliament Addressed his Majesty to give Instructions to his Governors in the Plantations not to Assent to any Act for Emission of Bills of Credit but with this Saving Clause Viz^t^. That the same shall not take Effect, until the said Act shall be Approved by his Majesty.

To evade this, Some lawless Combinations were Entre'd into for

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[1] History of the Province of Massachusetts-Bay (edition of 1767), ii. 395, 396.

forcing a Currency by large Emissions of private Bills; these having the same or a Worse Effect, but not being under the restriction of Royal Instructions, and without the reach of any former Act of Parliament, The Legislature of Great Britain found it requisite to Suppress them by a previous Act.

If the Colony of Rhode Island Acting under a Charter by Setting up Banks, (the name given in their Acts to their Several Emissions of Loan Money) and Settling of Fees for Transferrs of Rights, as they are Called, do not fall within the explicit design of the Acts Anno 1720 & 1741; There Seems to be an Absolute Necessity for another previous Act of Parliament to put a Stop to their Iniquitous Lawless proceedings in this Affair for the following Reasons;

1st. In Neglect or Contempt of the late Resolves of the House of Commons, and Subsequent Royal Instructions (having no Accountable Commissioned Kings Governour) they proceed more than ever heretofore in Emitting Enormous Unnecessary Quantities of this fallacious fraudulent paper Currency, and by Supplying therewith their Neighbouring Governments of New England. The Currency's of the four Governments of New England being promiscuous, they frustrate the Royal Instructions in these Governments and render of none Effect a late previous Act of Parliament Against private Combinations, Emitting of Notes or bubles for a Currency; because in the Neighbouring Colonies, the fraudulent Debtors and others of a Natural Improbity and Depravity of Mind, by Collusion and tacit Combinations Continue to give the Rhode Island Bank Bills a Currency in the same manner as they did the Notes or Bills of a late Suppressed pernicious Combination in Massachusetts Bay; So that the Honest Creditors & Factors for the Merchants in Great Britain, must either take these depreciating Notes, to their very great Damage, or lay out of their Debts perhaps to their total Loss, Insolvency being at present very frequent; All the Reasons made Use of for Suppressing the late Combination, Called the Land Bank, may be Used with greater Strength in this Case; because an Incorporated Mobb are capable of doing more Mischief than a Common Mobb or Combination, as pretending the Authority of a Charter to Colour and Screen their Iniquities.

2d. No Country, Society, or Single person can have an Unlimited or Indefinite Credit; when this paper Credit, Exceeds certain Limits, the more such Notes are Emitted, the more their Value must depreciate — But so it is, — Rhode Island a Small Colony with an Imperfect Charter, of about Twenty thousand Inhabitants, Men Women and Children, Whites Indians & Negroes, have now Extant above four hundred thousand pounds in their Bills of Credit; And are under no restraint from making more. It being their designed Iniquitous Advantage to depreciate their own Bills, as will appear in some Subsequent reasons; — By their frequent unnecessary large Emissions, their Bills are become

depreciated So that twenty Shillings Sterling, is equal to five pounds and ten Shillings Rhode Island at present, and are in a further depreciating Course to a very Small or no Value: hence so much (which is almost the whole) of their Publick Bills as they can Circulate in the Neighbouring Colonies being of no true Value, is to them Clear Gain, and the Cheat or loss falls in the other provinces, but at length terminates upon y^e. Merchants of Great Britain, who for Valuable Goods Sold by their Factors here, are obliged to Accept of a Currency of Small Value or totally lose the Debt.

3. Their Ordinary Charges of Governm^t. are very Small, not Exceeding Six hundred pounds Sterling p^r Ann, therefore their publick Bills are not for that End, but are very large, & frequent Emissions — with long periods upon Loan for the private Wicked Gains of people in their Administration.

First the Legislature, & their Electors being generally Debtors, Indigent & Abandoned, find by Experience, that a depreciating paper Currency is an infalible Expedient for fraudulent Debtors to Cheat their Creditors if not restrained; their Creditors here, & Merchants in Great Britain will thereby Suffer more and more; — The Risk of losing or forfeiting their Charter priviledges is no restraint upon them; they are taught by Designing Men Vainly to Imagine that taking away of Charters is odious to the People in Great Britain & therefore Impracticable.

Secondly, The Sharers, that is the Legislature, their Electors & Friends Sell or transferr these Shares for an Immediate ready Money profit, the Shares in the Loan Ann 1738. were Sold for 35 p C^t. Advance; in the Loan Anno 1740 at 40 p C^t Advance, or they Let their Shares to their Neighbours and to the people in the Neighbouring Governm^ts at 10 to 15 p C^t pr Ann Interest, they themselves paying into the Treasury only 5 p C^t p Ann (in the last Emission being more Wicked they have reduced it to 4 p C^t for 10 years & no Interest for 10 Years more.

Thirdly, the Sharers from the known Nature of this Depreciating Money, pay what they borrowed of the publick at a great Discount: for Instance, of the Loan Anno 1715, when Exchange with London was at 65 p C^t., the last paym^t. was Anno 1738, Exchange at 400 p C^t; that is for £100 Sterling Value reced they pay only £35 Sterling Value.

Fourthly, the Sharers upon a Fund of a Small parcell of Land, do continue borrowing of this publick Money in indefinitum, A Man may borrow to half the reputed value of his Land; for Instance, £500, upon a £1000. pounds Worth of Land: after a few Years by Multiplyed Emissions Denominations depreciate, and this same Land becomes Nominally worth £2000, here is a Fund for borrowing of £500, more: In process of more Years, the Nominal Value becomes £3000, which is a further Fund for £500.

Fifthly the present Generation in this Colony (if their Emissions did not fraudulently depreciate) do unnaturally and Wickedly by long periods & postponings leave a heavy load of Debt upon posterity, for the Sake of a little present Money to Squander away; So much paper Money as any Colony does Emit. So much Debt are they Answerable for in themselves & posterity.

Sixthly — There is one Expedient to Save themselves & posterity, which when they arrive at their Height of Wickedness (If they hold their Charter & Continue to Abuse it as at present, if the Parliament do not Interpose) they can & will perpetrate: All parts of their Governm^{t}. Legislature & Executive are Annually Elective, the Electors who are the Debtors, Sharers, or borrowers of this Money, may Chuse such Govr., Assistants & Representatives, from Amongst themselves as may some time or other pass a kind of Act of Indemnity, releasing and acquitting all Debtors to the Governm^{t}., that is themselves: then the possessors of these Bills, that is the few Industrious frugal people of New England, and the Merchants in Great Britain by their Factors here, will Sustain a total loss beyond redress.

Seventhly, The Interest of these publick Loans goes towards the Charges of Governm^{t}. Therefore as they pretend all their Emissions are Virtually to defray the Incurred and Accruing publick Charges, The Iniquity & Falacy of this pretention Appears; 1st only Some part of this Interest is Applyed to Charges of Governm^{t}., & to Save taxing, the Remainder is made a Dividend of profit to each of their Townships.

2. They have Emitted at times £50000, & have now out upwards of £40000, Whereas the Interest of £50000, is more than Sufficient to Defray all their Ordinary Charges of Governm^{t}.

3. Supposing the Interest of any particular Sum of a Loan was requisite to defray publick Charges, by Lowering publick Interest they may Increase the requisite publick principal loan to any Sum, for Instance, lower the Interest on publick Loans from 5. to 1. p C^{t} p Ann it will require an Emission of 4 times more publick Bills than are now Extant: in fact by the Emission Loan of this year they have lowered from 5 to 4 p C^{t} p Ann.

4. The longer and further that this pernicious paper Currency is allowed to take place in the plantations the greater will be the trouble & difficulty to root it out, and perhaps not without making Riots & other bad Consequences, especially in that Licentious perverse Governm^{t}. of Rhode Island who at ye same time when they Neglect, Contemn & Insult Resolves of Parliam^{t}., Kings Instructions & Kings Officers, do in an abandoned false & Hypocritical manner in the Several preambles of their Emission Acts, pretend to the greatest Submission and Loyalty, (Laughing in the face of y^{e}. British Governm^{t}. while they Endeavour to Cut the Throat of its Authority.) A few Instances;

1st. In the preamble to the Emission Act Anno 1715. "Always

"depending upon our Dread Sovereigns Countenance & toleration "therein, unto whose Royal Commands this Colony as in Duty bound, "will at all times readily Submit."

2d. In the Additional Act to the Emission Act of Anno 1740, they make some Amendmts. in sd. Act Vizt. That instead of one of these, equal to three of the former, shall be equal to four of the former; because not exactly Agreeable to a late Instruction from ye Lords Justices of Great Britain.

3d. In the same preamble, they very falsely pretend a Necessity for Emitting publick Bills (when at the same time none of the principal is Applicable to these pretended Extraordinary Charges of Governmt.; but is divided by way of Loan Amongst the Legislature & their Friends.)

First because they are a Barrier to the other parts of New England — N. B. they have no Vessel of any force excepting a Small Sloop, and their port is at a Considerable distance from Massachusetts Bay, where is the Confluence of Trade; by land they are Encompassed & protected from the Indians by the other provinces of New England, and do not Contribute, towards our Indian Wars.

Secondly, a Constant Charge Attends the Inhabitants of this Colony, above other parts of New England.

NB, = The Charges of their Neighbouring Province of Massachusetts Bay is at all times at least ten times more than that of Rhode Island, with not half the Quantity of Massachusetts publick Bills extant.[1]

Mr. ROBERT N. TOPPAN exhibited a printed copy, in fine condition, of a volume in his possession, and spoke as follows: —

The book exhibited to-day will interest the members of the Society on account of the associations connected with it. It was printed in 1492 and contains a sermon in Latin upon the election of a Supreme Pontiff, delivered before the College of Cardinals in St. Peter's Church on the sixth of August, 1492, by the Reverend Father Bernardino Carvajal.

Carvajal, born in Spain in 1456, had been Bishop of Astorga, Badajoz, and Cartagena, and was a chaplain of Ferdinand and Isabella. The title-page of the little book calls him the "preacher

[1] This document was communicated by Mr. Davis to the Society at its February Meeting. See above, p. 380.

of the King and Queen of Spain." Innocent VIII. having died on the twenty-fifth of July, 1492, a conclave was called to select his successor. Before the election took place, Carvajal delivered this sermon in which he speaks of the dangers surrounding and menacing the Church, and after praising the virtues of the deceased Pontiff he describes the necessary qualifications to be considered in electing his successor, quoting the well known text in St. Paul's epistle to Timothy about the virtues which should be found in a bishop, and ending by demanding, emphatically, the election of a Pope who "will reform and reëstablish the fallen church."[1] His hopes of reform were not realized, for on the eleventh of August,[2] five days after the delivery of the sermon, Alexander VI., of the Borgia family, was elected, — one of the most infamous characters in history, whose notorious crimes did more, perhaps, than anything else to hasten the Reformation.

The date of the sermon carries us back in time to the conquest of Granada, and to the departure of Columbus on his first voyage of discovery, as he had sailed only three days before, — on the third of August.

The subsequent career of Carvajal is briefly told. He was made a Cardinal by Alexander VI. in 1493. In 1511, he was sent to Rome as ambassador by King Ferdinand of Spain. He was the principal instrument in gathering together, the same year, the Council of Pisa, which deposed the warlike Pope, Julius II. The Pope, however, in order to counteract the influence and authority of that Council, called the Council of the Lateran, in 1512, which excommunicated those who had taken part in the Council of Pisa, and Carvajal's name was stricken from the list of Cardinals. The excommunicated and deposed Cardinal took refuge in France, having espoused the cause of Louis XII., but upon the death of Julius II. he returned to Italy, where he was imprisoned by Leo X., but finally pardoned, having humbled himself before the Consistory in presence of the Pope. He was afterward made Bishop of Ostia, and died on the thirteenth of December, 1523.

[1] "Debitis nobis pastorem qui reformabit et eriget collapsam ecclesiam."

[2] The date of the election is found in the Histoire Générale d'Espagne by Ferreras translated into French by Hermilly, 1751, viii. 531. In the biographical dictionaries, the year only is given.

Mr. HENRY H. EDES said: —

MR. PRESIDENT, — After the adjournment of one of the last meetings of this Society which our associate the late Dr. Joseph Henry Allen ever attended, he mentioned, in conversation, that during our Civil War he held a correspondence with Dr. James Martineau, the eminent English philosopher and divine. He told me that some of Dr. Martineau's letters dealt with the great public questions which then divided our country, and added that they would afford interesting reading to men of my generation. Dr. Allen said that if he outlived Dr. Martineau, then in his ninety-third year, he thought he should make public some portions of this correspondence. I at once expressed the hope that this Society might be selected as the medium of communication when the proper time should arrive, and was assured that my wish should be gratified. Only a few weeks before Dr. Martineau's death, I mentioned this conversation to one of Dr. Allen's daughters and told her that if she would some day entrust these letters to my hands, I would communicate them to the Society in her father's name. Recently, I received from Miss Allen all of her father's correspondence with Dr. Martineau that he had preserved, and from some of these letters I shall read, this afternoon, such portions as are of special interest. I shall also read a few paragraphs which express Dr. Martineau's esteem and affection for Dr. Allen, and his high appreciation of his character and attainments.

There are in the collection twenty-two letters, extending in date from 1853 to 1897. Two of these papers are copies of letters written by Dr. Allen to Dr. Martineau in reply to some of his criticisms or strictures; and one was written by Dr. Allen, in 1863, to an unknown English correspondent, in which he refers to Dr. Martineau, to the war for the Union, and to English sentiment on some of the matters at issue.

Dr. Martineau's letters contain many interesting philosophical reflections and opinions, and brief references to President Kirkland, the Wares, Andrews Norton, Drs. Hedge, Furness, Charles Carroll Everett, James Freeman Clarke and Edward Everett Hale, and Theodore Parker, with an occasional comment on their characters, writings or philosophy.

The text of the letters follows.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

PENDYFFRYN, near CONWAY, NORTH WALES,
July 15, 1853.

DEAR SIR,

Had I been at all competent to render the least aid towards the completer execution of your admirable plan,[1] I should not have delayed so long my answer to your letter of last month. But the truth is, my studies have so long taken a different direction and engaged themselves with philosophy rather than either history or theology, that I have fallen behind the recent literature on your range of subjects, and shall be thankful to go to school to you again, whenever your projected work is published. There is a great and confessed need of such a book in our language: and your conception of the whole subject and evident familiarity with the best sources fills one with hope that the want will be effectually supplied. The recent discoveries of Layard will of course not escape your attention. Ewald's History is about to appear in an English dress in this country. But I understand from his friend and British representative, Dr. Nicholson, that the translation is by no means satisfactory: and the book, with all its merits, is not adapted, in form and manner, to our national taste. A production native to England, Old or New, will have a higher value for us.[1]

Jost's History of the Israelites is no doubt known to you. It is not a book of high merit, however indispensable to a labourer in your field: Mr. Newman, who borrowed my copy for his work on the Hebrew Monarchy, told me that he found it useful. On the Alexandrine development I know of nothing new; unless we are to regard as such the last Volume (published 1852) of Zeller's Philosophie der Griechen, in which he applies his masterly power of exposition to Philo's doctrine. In the use of Gfrörer I think a good deal of caution is required. A good many *side-lights* are thrown in upon the deliquescent stage of Judaism, whether in Egypt or Asia, by writers on the early Christianity; as by Baur in his Christliche Gnosis; Dorner, in his Lehre von der Person Christi; Baur again in his Lehre von der Dreieinigkeit; and of course Lücke in his Commentaries. But I dare say, in all this, I am but giving an owl to Athens. The period with which your history will close is intensely interesting: and the blending of the Hebrew and Hellenic streams of thought and faith always appears to me the most solemn and sublime phenomenon in Divine and Human history. The

[1] The reference is to Dr. Allen's work, which was first published in January, 1861, entitled Hebrew Men and Times from the Patriarchs to the Messiah.

Unitarianism which will not let them blend but insists on isolating the Judaic element; the Trinitarianism which, sprung from their combination, forgets and disowns its Grecian source, and pretends a pure evangelic origin; affect me painfully as a denial of the greatest and most manifest of Providences, and a mere vain breath of egotism and ignorance against the largest of realised facts. This however may perhaps be a sentiment little shared on your side the water: as here it is regarded with disapprobation and alarm.

It is curious to observe the parallel movement of the religious changes in your country and in ours. The same division among Unitarians exists with us as with you; the same alienation from the Unitarian Association, as unfit for its assumed representative function; the same craving, in the old section, for artificial action and internal organisation, and, in the new, for the full rights of natural sympathy and wider principles of union; the same incipient attempts to disengage the free and earnest spirit of the younger faith from the body of death that clings to it and clogs its action. With us, however, it may not come to an actual schism: rather is a dwindling away of the old element, and re-absorption into society as having finished its separate work, to be expected: and a gradual enrichment and transformation of the new element by the approach towards it and merging into it of free minds detached by similar causes from other hereditary churches. We have no one with the genius, the eloquence, the energy, the nobleness, and the startling heresies of Theodore Parker: else had our dissensions and repulsions been quite as sharp as yours. If we live more peaceably together, I fear it is not that we are more amiable but that we have a life and power less strong. Our scope also is narrower: we have not the whole open field of society to contend for, with nothing but ourselves to blame if we do not conquer it: but only the narrow enclosure of a sect, or, at most, of the set of dissenting sects or heathen aliens, surrounded on all sides by the domain of the National Church, on which no inroad is practically worth contemplating. Our quieter temper is in some degree the result of our poorer hopes and fainter force.

A question of great importance to the future condition of our Churches has recently been decided, not without the greatest difficulty at every step, viz., the position and scope of our only College.[1] It ceases to be an institution completely furnished and containing all resources within itself; and annexes itself, as a mere Theological School, to the University College, London. It is a great point gained, that Mr. Tayler

[1] Manchester New College, now Manchester College, Oxford.

is made its principal; — a concession required doubtless by his eminent learning, accomplishment and goodness, but involving an acknowledgment of the advance of the liberal theology which he represents. By the removal to London, my own connexion with the College ceases, — my department being abolished, or supplied by means of a secondary or occasional Lectureship. It cannot in itself be a welcome change, to be withdrawn from studies pursued with some zeal for many years, and not yet brought to their maturity. But the step I believe to be a right one; and individual concerns must lose themselves in wider good. If life be spared and working Resolution do not fail, I shall hope to turn to some account the pursuits of the past ten or twelve years. Whether it be delusion or not, I cannot tell: but those who have themselves struggled through the difficulties of the higher philosophy are always apt to fancy that they can save others some of the perplexities through which they have found a way.

Believe me, my dear Sir, Yours very faithfully,

JAMES MARTINEAU.[1]

REV. J. H. ALLEN.

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[1] James Martineau, D.D., LL.D., was born in Norwich, England, 21 April, 1805. His early education was in the Norwich Grammar School and the school of the Rev. Lant Carpenter at Bristol. In 1821 he began to prepare for the calling of a civil engineer, but deeply moved by the death of a young friend, a minister, he decided to enter the ministry. He spent five years at Manchester College, taught for a year, and then, in 1828, was ordained as a minister in Dublin. From Dublin, three years later, he went to Liverpool, where he remained for twenty-five years; during this period he published Endeavours after the Christian Life, became one of the editors of the Prospective Review (later succeeded by the National Review), and began to teach in Manchester College. In 1853 the College was removed to London, and in 1858 Mr. Martineau found it necessary to remove there also. From 1858 to 1869, in addition to his work as a teacher, he was, with John James Tayler, the Principal of Manchester College (then become Manchester New College, London), joint minister of the Little Portland Street Chapel. On Mr. Tayler's death, in 1869, Mr. Martineau succeeded him as Principal and also continued in charge of the Little Portland Street pulpit alone till 1872, when he resigned the pulpit. In 1885 he resigned as Principal of Manchester New College, after serving it for forty-five years in all. In the period which followed, he published first his Types of Ethical Theory, then, in 1887, his Study of Religion and, in 1890, the Seat of Authority in Religion. He was one of the Foreign Honorary Members of the American Academy of Arts and Sciences. He died 11 January, 1900. A full account of his life and work is given in A. W. Jackson's James Martineau, a Biography and Study, Boston, 1900.

In an article entitled James Martineau, in the Atlantic Monthly for September,

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

LIVERPOOL, Dec. 30, 1856.

MY DEAR SIR,

In the absence of such awakening events as those which called forth your admirable and faithful Sermon ("Reign of Terror"), we have here to tread the round of older and duller topics; and I send you one or two pamphlets on such matters, in the hope that you will permit me to remind you of me in this harmless way. They are slight affairs that need no acknowledgment. Some time or other I hope to send you a worthier exchange for what I owe you.

No doubt your book[1] is delayed, — and I dare say prudently, — by the absorption of public attention in your great political struggle. At such a crisis, the interest of the Present asserts its paramount rights, and compels the Past to wait for more tranquil hours. Never, I suppose, did the Providence of God commit to human hands a greater trust than is now vested in the citizens of your Northern States. For once, even local and party excitement can scarcely exaggerate the importance of the contest; to the calmest and remotest observer, no less than to the actor on the spot, it appears to involve, — with the destinies of your Continent, — the whole Future of Humanity. I can well believe your report of the liberating and uniting power exercised on the North by the insults of the dominant party. Most of the newspapers and speeches I have seen bear witness to the worthy spirit which has been roused: though among the scanty exceptions I was sorry to see a lamentable article in the September Christian Examiner. One phenomenon, however, of the late Presidential election puzzles me. How is it that, even at this

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1900 (lxxxvi. 317–327), our associate Dr. Charles Carroll Everett closes with these words: —

His [Martineau's] power consists in the fact that he dwelt among the realities which systems so imperfectly represent. To some who love and admire him most, the Endeavours after the Christian Life is still regarded as his best contribution to the world. Others find most inspirations in his splendid personality, all aglow as it was with religious faith. He had fairly faced doubt and denial. He had explored the gloomiest stretches of world-weary speculation, and he could still stand in all the joy of his first faith, and proclaim that —

God 's in his heaven,
All 's right with the world.

Whatever we may think of his system as a whole, his works will long remain a storehouse of important thoughts in regard to the matters with which philosophy and theology have to do. It is pleasant to remember that the first collection of his miscellaneous works was made and published in this country, and that Harvard was the first university to give him official recognition.

[1] Hebrew Men and Times from the Patriarchs to the Messiah.

crisis which so far breaks up party as to leave Fremont without a solitary (popular) vote in the Slave-States, a minority so very large is found to vote for Buchanan in the Free States? I suppose it must be, that the single question of Slave-Extension over territory guaranteed to freedom did not entirely set aside the collateral issues raised by the Democratic party.

I am afraid my friend and neighbour W. H. Channing will give you, on his return, but a very poor account of our Unitarian ecclesiastical affairs; and, what is worse, the account will be true. I think I can perceive that he is thoroughly disappointed with us and hopeless about us: perhaps, hardly allowing enough for the pressure of an Established Church in England, or sufficiently aware of the extent and depth of silent and inconspicuous influence exerted by our theology and our social existence, even on a small scale. Still his impression is essentially just. If you should happen to see a pamphlet called Old School and New, just published, you will see that we are crippled in our activity by foolish distrusts and jealousies; — far more deeply seated than your Boston divisions, because involving the whole difference between the Priestley and the Channing religious philosophy, — i. e., I should say, the greatest difference to be found within the limits of the Christian faith at all. However, a crisis is at hand: and the younger, more living and progressive element will either carry the mass of our churches and institutions with them, or will find media of action and expression of their own, rendering them independent of the dead conservatism which is rotting us all away. New sympathies, not following the old lines of sect, have arisen, and must re-arrange the grouping of our ecclesiastical world; without necessarily doing violence to the older combinations, but tending gradually to supersede them.

Your account of the Divinity School perplexity [1] interested me greatly.

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[1] In 1853, the President and Fellows of Harvard College had filed a petition asking the Supreme Judicial Court to decree the separation of the Harvard Divinity School from the University. The Society for Promoting Theological Education, which, from its organization in 1816, had taken large part in maintaining the Divinity School, was expected to assume entire charge of the School in case the petition was granted, and in 1859 agreed, though reluctantly, to do so, at the same time protesting against the step as "unnecessary and inexpedient." "The Court reserved its decision from year to year, till, in 1865, under a change of views on the part of the Corporation [the President and Fellows], the petition was dismissed by the Court at the request of that body." (The Society for Promoting Theological Education, printed in 1898 and made up in large part from the pamphlet compiled by Rev. William Newell, D.D., Secretary of the Society, in 1877).

There seems no solution so good as for the Trustees to appoint either Professors of different theological complexions so as to represent the different parties in the State; or teachers so eminent for learning and candour that their class-room might be a common medium for the instruction of all. Why should such a thing be hopeless?

Our family party unites in kind remembrances: with which

Believe me, my dear Sir,

Ever faithfully yours,

JAMES MARTINEAU.

REV. J. H. ALLEN.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

AUCHRANNIE, INVERCLOY, ARRAN, SCOTLAND.
Aug. 2, 1860.

REV. J. H. ALLEN,
MY DEAR SIR,

Among the many pleasures too exceptional to be often repeated in this life, on which my proposed visit to the States has led me to reckon, one of the more prominent has been the renewal of my too long-suspended intercourse with you. Your words of hearty welcome are delightful to me; and only add a new intensity to the hope, that my visit to your grand side of the world, — disappointed for the present, — may not always be a dream. Had I set foot in Boston, one of my first enquiries would have been for you. But in consequence of the slow recovery of my friend and Academic Colleague, Mr. Tayler,[1] from a recent illness, and the doubt remaining as to his physical strength for the opening work of our Session at the beginning of October, his physician has recalled the sanction under which I accepted the invitation of Mr. Hale,[2] and has advised me that I ought not to leave any extra burden on my friend. It will be seen, I trust, by those who have so

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The constitution of the Faculty of the Harvard Divinity School has been for twenty years or more substantially that here suggested by Mr. Martineau; the professors have been chosen both as "eminent for learning and candour" and as representing "different theological complexions."

[1] John James Tayler, Principal of Manchester New College, London (now Manchester College, Oxford), from 1853 till 1869 when Mr. Tayler died and Mr. Martineau succeeded him.

[2] Rev. Edward Everett Hale.

generously forwarded the proposed visit, that under these circumstances it is no fickle faith, but clear necessity, that has led me to retract my acceptance. I soothe my disappointment, partly by the hope of contributing to my friend's thorough restoration, partly by stowing away my American vision into that ever open Future which keeps alive so many blessings condemned to die from the present.

You draw a pleasant picture of your altered locality [1] and mode of life: and I can sympathise from experience in all your pædagogic troubles and satisfactions. On the whole, I have a good opinion of boy-nature: trustfully and generously treated, it seldom fails to yield a rewarding response. But it keeps one awake, and needs for its management the full vigour of manhood. *Old* schoolmasters should be prohibited: I would pension them off as *emeriti* at 45. As to the addition of a second occupation to the minister's life, I quite agree with your estimate of its advantage — to personal independence, — to freshness of mind and heart, — even to social power. Our best ministers are almost invariably those who are something else than ministers: and the men who have most failed to keep abreast of their age, and have least sympathy with the noblest life of a new time, are precisely those whose time and thoughts seem to have been freest to take in and diffuse whatever the Spirit and the Providence of God might teach.

I half compassionate your labours on Herbert Spencer. I fully admit that he is a phenomenon remarkable enough to demand estimate: and he expresses so vigorously the predominant tendency of science in our time that his influence is likely to increase. But the older I grow the less highly do I prize logical structures, raised with ever so much skill and power on false postulates: and having made up my mind that his *basis* is wrong, — in Social Science, in Physiology, in Psychology, — and admired a specimen or two of his cleverness in working up from it, I am content to let him go, assured that he will not help me to the real thing I want, — a truer insight into matters Divine, Natural, or Human. But I have not seen his new periodic production.

With kindest regards from my whole circle, Believe me, my dear Sir,

Ever faithfully yours,

JAMES MARTINEAU.

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[1] The allusion is to Mr. Allen's removal to a new home, at Jamaica Plain.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

10, GORDON ST., LONDON, W. C.
Nov. 29, 1861.

MY DEAR MR. ALLEN,

If you knew me as well as my old friends here know me, you would be surprised at no epistolary dumbness, however unaccountable to more fluent and demonstrative men. As a school-boy, my mother had to scold me for not writing home: and ever since, I have gone on in the same unprincipled way, and, I fear, have grown worse from having a wife who writes such capital letters, and in such copiousness, as to do duty for both of us. I have no adequate excuse for my dilatoriness toward you. True, I received your book[1] after considerable delay. But receive it I did; was delighted with it; and ought to have thanked you for it long ago. Deduct three months from the time (when, being in Scotland, I did not get the book), and a month for bookseller's delays: and charge the residue to my sins. Only, forgive me at last, and do not cut me off for my infirmity.

Our theological critics scent something amiss, — something German and suspicious, — in your book. They do not like the idea of letting the names in the Scripture Lessons stand for proper, — still less for improper, — men and women; and of opening the natural lines between Hebrew and other history. The best class of readers, however, will thank you for humanizing what had ceased to win them by pretensions exclusively divine; and for letting the consecration spread over the wider field of history. The quiet, lucid style of the book is most agreeable to my taste; and the compression of the matter is admirable.

I fear that the terrible national crisis must for a long time stay the hand of every literary man amongst you; and draw off all interest into one channel. And now, alas! arises the new and dreadful apprehension of war between our two countries! But surely, this cannot be permitted: there must be a body of reasonable public opinion in New England, which may be brought to bear on the government at Washington, and may induce it to restrain the over-zeal of its officers. Through all the excitement produced here by the Trent affair, there is everywhere a disposition to abide by the acknowledged rules of international law, and to insist on nothing which it is consistent with honour and duty to concede. The right of search, which we once claimed against

[1] Hebrew Men and Times from the Patriarchs to the Messiah.

you, we shall be content to suffer from you. All contraband of war is at the disposal of your Prize Courts, — though not of your naval officers without a Court. But Civil Persons, passengers on board our Steamers, between one neutral port and another, cannot in honour be given up, — and *that* without the trial and award of a tribunal. The impression at your embassy here seems to be, that the San Jacinto people have exceeded their instructions; just as our officers did in the Chesapeake case. God grant that the cloud may blow over!

Ever, my dear Mr. Allen,

Yours very sincerely,

JAMES MARTINEAU.

REV. J. H. ALLEN.

DRAUGHT OF A LETTER FROM MR. ALLEN TO AN UNKNOWN CORRESPONDENT.

JAMAICA PLAIN, Feb. 23, 1863.

MY DEAR SIR,

I felt some compunction at receiving your very kindly and courteous epistle the day after I had sent one which I am afraid must have seemed a little truculent and unjust. I am forward to acknowledge the friendly spirit of the last leader in the Inquirer[1] that I have seen (Jan. 24), and I have read with the highest gratification, in the Leeds Mercury (which you were kind enough to send) and in the Morning Star, the reports of the great meetings at Bradford and Exeter Hall. I trust we are not premature in hailing what seems to be a turn of the tide in English sentiment. And I am sure that, as the elements at work in these last two years get better known, you will see that it was not only necessary, but right and honorable, to stand for the defence of the Union, irrespective of the question of Slavery — all the more, since slavery *in* the Union was felt to be a doomed thing. Our self-justification rests not on a special philanthropic end to be secured, but on the need of sustaining the large principles of political liberty and civil order. Mr. Newman has seen and stated this distinctly from the first and so has Mr. Mill. You cannot have failed to read their words.

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[1] The reference is to the London Inquirer, newspaper, an organ of the English Unitarians. It is not improbable that this letter of Mr. Allen was addressed to the Editor of the Inquirer.

Practically, the two questions have been one from the beginning. Witness this sentence from an English letter copied in the Liberator[1]: —

> Recently, an American minister, the Rev. Stephen B. Tyng,[2] was prohibited, or rather stopped, while speaking on behalf of the slave in the Young Men's Christian Association in London — the chairman giving him to understand that, in the present state of feeling, it was a tabooed subject.

I think you cannot wonder at our disappointment and surprise, that so many of our English friends have virtually taken that side. But of this quite enough has been said.

I enclose you a Circular, from which you will see that I have carried out, sooner than I designed, the intention which puts the responsible charge of the Christian Examiner mainly in my hands.[3] Just now a large part of my time is taken up by other cares. Still, I hope to do something for it now, and more after a few months. We intend to have a dinner next week, of the old and new friends and managers of the Examiner; and I hope there will come to be a permanent association[4] or club of persons in general sympathy with the spirit that is designed to govern the Review hereafter. The points I wish to emphasize are: (1) to make it more distinctly the record and representative of a *movement* rather than a mere phase of thought; (2) to commit it more definitely to the discussion of the political and social questions of the time; and (3) to give more earnestness to the expression of devout and religious thought — apart from simple theological discussion. Success in the execution will, of course, depend mainly on success in finding the material. I trust and think, however, that the Examiner will be more felt as a living and positive Force.

The lengthening days give a feeling of relief that our summer is drawing nearer — and with it, we trust, our hopes of a real peace; and as well, that the dark season is passing away from the distressed classes among you. The testimony as to the fidelity of the suffering operatives is very touching and noble. I have quoted from a private note of Mr.

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[1] The passage occurs in a letter to the editor of the Glasgow Herald, dated 20 January, 1863, printed in The Liberator of 20 February, 1863, xxxiii. 29/5.

[2] The Rev. Stephen Higginson Tyng, D.D., of the Harvard Class of 1817, is doubtless here referred to.

[3] Dr. Allen was editor of the Christian Examiner, at first in the department of current literature only, from July, 1857, till November, 1869.

[4] In the History of the Harvard Church in Charlestown (Boston, 1879), p. 204, *note*, is an account of the Christian Examiner Society, which was organized 27 January, 1829, and disbanded 5 February, 1863. The Examiner continued to be published till November, 1869. It was succeeded in 1870 by Old and New, which survived till 1875.

Newman in the margin of my brother's defence of Democracy[1] (March Examiner), which I hope will come in your way. The Examiner, by the way, is always sent to Mr. Whitfield[2] — though sometimes after some delay, in waiting for a box that is to be packed for him.

I fervently trust that the angry and bitter feeling that has prevailed is passing away, and that England and America are drawing nearer now, every day.

With much regard to your family and friends, I am

Yours, etc.

J. H. Allen.

P. S. May I trouble you to mail the enclosed to Mr. Martineau?

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

10, Gordon St. London, W. C.
April 14, 1863.

My dear Sir,

It seems a truly happy adaptation which at once secures to the Christian Examiner the advantage of your valuable labours, and furnishes you in your retirement with a congenial pursuit. At a time when, from the magnitude of public interests at stake, only the steadiest minds of a nation can tranquilly keep their balance, it is of the highest moment that a calm, thoughtful, far-seeing spirit like yours, should preside over the higher Journals which help to form opinion among the intellectual classes. How glad should I be, were it in my power at all to co-operate with you in clearing up the deplorable misunderstanding that prevails between the two Englands, — New and Old! But I fear that the modes of judgment, with regard to your great national struggle, are so different on the two sides of the Atlantic, that approximation is to be hoped for only from the arbitration of events. Of two things, materially affecting the international feeling, I wish I could give you the assurance which I profoundly have myself: that there is here no issue desired for your struggle except such as may be most conducive to the well-being and greatness of your Commonwealth, — be it singular or plural: and that there is no change whatever in the English estimate of

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[1] Democracy on Trial, by William Francis Allen, in the Christian Examiner for March, 1863, lxxiv. 262–294.

[2] Edward Tertius Whitfield, a publisher, chiefly of Unitarian works, in the Strand.

slavery. We simply do not believe in either the restoration of the Union, or the extinction of Slavery, much less in joint accomplishment of both objects, by process of Civil War.[1] And though this purely practical judgment may seem to occupy a humbler level than one which looks exclusively to the ideas said to be represented in the strife, yet it goes to the very essence of right and wrong in the case: for a War which aims at impossible objects, — be they ever so intrinsically good, — is self-condemned. We believe Slavery to be truly, as you say, the *cause* of the struggle: we do not believe it to be the *stake* at issue. On the contrary, we regard the division between North and South as the one gleam of hope that has opened on the sad history of the coloured race in America. The Free States, discharged from their slave-responsibilities, would spring at once to the head of the great league of nations against the oppression of an inferior race. But the Free States, reunited with the South, must either pledge themselves again to uphold and sanction the hateful institution; or end it by a conquest and confiscation of magnitude so frightful and uncontrollable as to outbid slavery itself in crime and misery. We may be wrong in these estimates of probability: experience may convict us of miscalculation, and may justify you in the policy which you pursue. But these, and no unworthy political interests or "aristocratic" theories, are the grounds of the English opinion; which is essentially, like the action of the English government, neutral and therefore complained of by both sides. There exist among us Southern partizans, like Mr. Spence[2]; and Northern partizans, like my friend Newman[3] and the Emancipation Society. But, as parties, they are both alike quite unimportant, in comparison with the overwhelming mass of public sentiment that holds the balance between them, and is contributed in equal measure from every order of English society. Notwithstanding the recent organized meetings, provoked into existence by the extravagance of the Times and the Saturday Review, I see no trace of any real change of opinion here. The impression prevalent in America that our *working classes* sympathise, more than other Englishmen, with the Northern cause while the "*aristocracy*" wish success to the South, is entirely groundless, so far as I can observe; and indeed is plainly contradicted by the tone of the working-class newspapers. The division of opinion here upon this matter does not go by *classes* in

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[1] It should be remembered that Dr. Martineau belonged to the high Tory party and naturally reflected its opinions.

[2] James Spence, author of The American Union, — a Defence of the South.

[3] Francis W. Newman.

the least: it is wholly an affair of personal temperament and cast of thought, turning up impartially in every grade of society. The strength of Northern sympathy in England lies among (1) speculative thinkers, like J. S. Mill, whose politics are ideal and socialistic; (2) evangelical philanthropists, who identify the contest with the fate of slavery; (3) doctrinaire republicans, like Stansfeld and Newman, — whose judgments take their complexion from the society of European refugees, — as Kossuth and Mazzini; and (4) critical politicians, like John Bright, kept by temperament in permanent opposition to the Government of the day. All these have a certain following in every class: but, on the whole, they constitute the foreign elements scattered around the organic nucleus of English life. Exactly the same may be said of the well-wishers to the South: they include no nameable class, unless it be the Catholics, — the Irish, — and the military men: they turn up on all sides here and there: but have no weight to disturb the general neutrality, — or rather the impartial sorrow, — with which the war is regarded.

Is it said that this statement is refuted by the act of a ship-builder in furnishing the Confederates with the Alabama? Then it is equally refuted by the act of a manufacturer known to me, who furnished the Federals with 25,000 rifles; and by that agent in Birmingham whom I met the other day, and who, for nearly two years, has avowedly been wholly occupied in sending to your government munitions of war. The law which is set at nought is just the same in both cases: in neither instance can the Government act unless on sworn informations brought before it: and the ease with which the evidence is concealed will always tempt private merchants to enterprizes of this kind, at the risk of capture by the belligerent powers at sea. As the Washington government ordered a war vessel at the very same Birkenhead yard which turned out the Alabama, with what propriety can they complain of an operation which they invited on their own behalf? In truth, the balance of these illegal supplies, it is well known, is enormously in their favour. Besides, your own great jurists have pointed out, that, so long as these supplies have not quitted the home-waters, they violate only a municipal law, of which no foreign power can claim the enforcement; — that only when they are on the high seas do they become amenable to international law; — and that then the execution of that law rests with the belligerent whose rights are infringed, while the private merchant's government has simply the duty of letting the penalties upon his act take their course. As these principles of neutral right have been defined and upheld mainly by your authoritative men, and applied against our belligerent pretensions in former wars, it does seem hard that we

should be denied the benefit of them as soon as the relations are inverted, and should incur, even from such good men as Dr. Hall,[1] the groundless reproach of violated neutrality. If the truth were told, is it not the neutrality itself, — and not any violation of it, — which constitutes our offence? And if so, can any calm thinker say that this is reasonable?

From international affairs I gladly turn to "National." My connexion with the Review is unchanged: and the only novelty is that the Editor is now an Oxford man, a Professor in King's College, London,[2] and that we have formed an alliance with the Oxford Broad Church party, on the theological ground common to them and us. The first result was an excess of Churchmanship in the January number; which will be guarded against in future. It is very difficult, in this country, to keep at once the horizon of thought large and the spirit within it earnest and simple. Men liberal on particular points surprise you with some narrow sectarianism on others: and the true Catholic breadth, of intellect and sympathy combined, is a phenomenon as rare as it is noble. To find it, however, where it exists, and to multiply it by expression, is the great object of the National Review. I shall rejoice to feel that in this we may be fellow-workers in our different spheres. Our publishers tell us that for the last year they have sent no Nationals to America; the war interfering with their previous transactions in some way. So I dare say you may not have fallen in with any recent numbers. God grant that the clouds that darken your atmosphere, and spread their shade to ours, may ere long disperse, and leave us united in the common light of kindred thought and congenial duties to the world!

With kindest remembrances from my wife and young people, and many thanks for the excellent photograph,

Ever, my dear Sir,

Yours faithfully,

JAMES MARTINEAU.

REV. J. H. ALLEN.

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[1] Rev. Edward Brooks Hall, D.D. (1800–1866), H. C. 1820.

[2] The allusion here is to Charles Henry Pearson, who in July, 1862, succeeded R. H. Hutton as editor of the National Review, a position which he retained for one year. See Charles Henry Pearson, edited by William Stebbing, 1900, pp. 94–96; and the Dictionary of National Biography, xliv. 162–164.

JOSEPH HENRY ALLEN TO JAMES MARTINEAU.

[*Draught of a portion only of Mr. Allen's reply.*]

I hope you will not be displeased if I remark on one or two of the points which you have mentioned. 1. The sentence which I have quoted from Earl Russell (date of June 12, 1862) seems to draw a clear line between such offences as blockade-running or the sale of munitions to be delivered in good faith to the purchaser, and the outfitting of an armed vessel like the Alabama, — a distinction which the English government has in practice and in fact acknowledged. 2. As to a question of fact, I believe a false impression has been given in England; and that so far from ordering a vessel built at the same yard with the Alabama, our government has even refused (for the sake of consistency) to purchase foreign ships offered for sale in our own ports; — although it is impossible for us to feel that the sale of arms etc. to a friendly and recognized power is the same thing in law, or at least in morals, with the sale of them to parties occupying the position of insurrectionary leaders, in the interest of a slave-holding despotism. In this last sense, it is true, as you suggest, that the real grievance is "neutrality."

There is one other point, which I wish might be more carefully considered abroad than it seems to have been. What makes America a nation, is the general respect for the *authority* of the federal bond. That is our one historical antecedent to fall back on. It is therefore not accurate to suppose that the Free States, alone, would stand in the attitude of a strong nation, by mere separation from the South. Not merely a glance at the map, but the highest knowledge of our politics, would show the fallacy of such a fancy. It is true that the common effort and burden of a war may *create* such a nation, even in event of separation. But secession, of itself, was well understood to be sheer disintegration; and, if you remember, was freely spoken of as such two years ago, in the Edinburgh and Quarterly. But even this is not the essential point. It is without dispute, that up to the time of secession, the United States had been always regarded as a nation, competent to make treaties, etc. etc. Fort Sumter was one of its possessions, built on National (and not State) territory. Now — aside from the policy of surrendering a fort on the mere demand of a foreign power, which South Carolina claimed to be — *what ought the United States to have done, when Fort Sumter was attacked?* Till this question is answered, all argument on the rightfulness of the war is irrelevant.

Again, as to the results of the war. These points should be borne in mind, irrespective of its possible or probable final issue: — (1) It has

vindicated the fact of nationality, which (and as you truly say not slavery) was the real "stake at issue." (2) It has already rescued a territory between five and six times the combined area of England and France from the control of that "Slave Empire of the West" of which the National spoke a few years ago. (3) It has actually revolutionized, without violence or loss (other than the immediate losses of war), the system of labor over immense districts, which the United States now hold in trust. We claim that either one of these results amply justifies the war — by all common maxims of human judgment — apart from the fact that it was inevitable. What, in candour, would be your judgment of us now, if we had refused to fight, or if we should abandon the contest at its present stage? Would it not be something different, and far more contemptuous, than "impartial sorrow"?

I have not the least wish to treat the subject controversially, especially in a personal correspondence with you. But it seems to me that good may be done, on one side, by the frank acknowledgment on the part of Englishmen, that we have done, after all, what they would have held it infamous and impossible not to have done in similar circumstances; and, on the other side, by any assurance that may be given, that the neutrality of the English in this contest is as honest and as friendly as you have represented.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

Tŷ Mawr, Penmaenmawr, Conway.
July 8th, 1863.

My dear Sir,

I should sooner have thanked you for your valuable letter, — so strongly yet so gently reasoned, — of the 9th May, had I been able to contribute any new element to the discussion which is supreme in interest for Americans and Englishmen alike. But after the complete exhaustion of the subject by public writers and speakers on both sides of the Atlantic, I feel that the cast of my own personal convictions is of no moment and can give no help: and I shrink, — even in presence of your candid invitation and the certainty of a kindly construction, — from the impertinence of foreign criticism on a national crisis justly awakening the keenest susceptibilities, and fully entitled to work itself out in its own way. Though, however, I am not anxious to urge our opinions upon you, I do earnestly desire to qualify your opinions of us: and especially to convince you that the attitude of English feeling

towards the Northern States is absolutely free from every element of hostility. Such a sentiment as you quote from the lips of a friend "unusually fair and large minded," — that he would compromise with the South for the sake of fighting England, — is so wildly astray from every direction of feeling here as to be simply wonderful. If he had his wish, what would he fight us *for?* When he sat down to his desk, to write out his Declaration of War, what offences from our Government would furnish the materials of his indictment? The only complaint I have heard is of the building of the Alabama. This, however, was the act of a private person, evading the vigilance of the government: and it now appears, from the decision against the Crown in the case of the Alexandra, that the ship-builder committed no breach of law at all. He had a right to sell ships, as gunmakers to sell arms, to either of the belligerents: only, if the other belligerent stops and seizes them on the way, he suffers his risk and has no redress. By sending out the ship from British waters in an unarmed state, he escaped the operation of the Foreign Enlistment Act, and brought the transaction within the limits of a commerce legitimate in neutral waters, though unprotected from war risks. In order to comply to the uttermost with the requisitions of Mr. Adams, our government has exposed itself to a humiliating defeat in court. Lord Russell, — doubtless fearing this, — had previously offered to Mr. Seward to propose to Parliament amendments rendering the Foreign Enlistment Act more stringent, on condition of the same changes being simultaneously recommended to Congress in your Law, — which is identical with ours. The offer was declined. It is difficult to see what more we could do, than propose to make the law tighter; and meanwhile, try it as it is.

If you have read the judgment of the Chief-Justice, you will doubtless have noticed that he puts upon the same footing the sale of *arms* and the sale of *ships*. If the latter gives ground of complaint, so does the former: if our manufacturers offend against you in one article, they offend against the South in another: only, the South cannot stop the arms that go to New York: and you expect to stop the ships that go to Charleston. The adventures of trade are perfectly impartial: they are intangible by law: and are wholly devoid of political significance.

Deeply as I lament that we should be the object of such a feeling as you describe, I cannot admit that its bare existence establishes its justice: and I can confidently affirm that it is quite unintelligible, and without the least response, here. A few irritable and eccentric men, like Roebuck, may doubtless be found, who spurt out splenetic extravagancies against the Northern cause: but against these you must set off the vastly superior weight of positive sympathy and advocacy which that

cause receives from a few Englishmen of the highest order, such as Mill, Newman, Goldwin Smith, Bright and Cobden. Neither class represents the national feeling; which repudiates alike the temper of the former and the doctrine of the latter.

Great harm, I think, has been done to the European repute of the Northern cause by confusing, in its management, the *constitutional* and the *anti-slavery* question, and not keeping its issue clear and simple. I have always held that the attack on Fort Sumter put your government in the right, and compelled the resort to force in reply. The obligation to maintain the Constitution was an obligation to use the forces of the State against Secession. The title of a government to vindicate its authority and property is unimpeachable: and, accordingly, at the outset, all European spectators condemned the connivance of Buchanan and approved of the honest efforts of his successor. But the duty of using a formal right, and the extent to which it should be enforced, must always be limited by the range of possible success. It cannot be a duty, — on the contrary, it is the gravest of political crimes, — to pledge the resources of a State against all odds. No sooner, therefore, did the scale and the resoluteness of the Secession become evident, than the European feeling as to the original right became qualified by the spectacle of overwhelming facts: the problem undertaken by your government was deemed unmanageable: and the war was deplored as likely only to embitter an inevitable separation. Its continued prosecution seemed to imply a presumptuous overestimate of what human will and force can accomplish, and a rejection, too prolonged, of the obvious arbitrament of nature and Providence.

Then, the introduction of a new issue by the Abolitionists at Washington has certainly injured the Northern cause in the appreciation of European statesmen. The removal of Slavery is, in their judgment, no proper *object* of a war: and is, on the other hand, far too serious and responsible a change to be resorted to incidentally, as a mere *instrument* of war. It is pre-eminently a work of peace; needing deliberation, time, and organized vigilance and control: and to inaugurate it in the heat and haste of conflict, to impose it as a military penalty, to identify it with confiscation and attainder, is to do all that is possible to make it hateful and hopeless. This, at least, is the view taken, so far I can observe, by all our most experienced and high-minded men of affairs, including the anti-slavery leaders themselves. The proclamation of Lincoln [1] captivated a certain number of our philanthropists of

[1] The Emancipation Proclamation.

sentiment; and alienated others by stopping short of their desires: but, if I mistake not, has had upon our responsible men of action a deeper and more unfavourable effect than any incident since the beginning of the struggle. It has marred the simplicity of your Constitutional cause by introducing, through an overstrained application of belligerent right, a collateral issue far too great to remain collateral.

In all this I feel profoundly my liability to judge amiss, from imperfect command of the data for thinking right. But you ask for my impressions: and I frankly give them. They are open to any correction you may benefit me by bestowing. God grant that we may soon discuss these matters in the retrospect of peace!

I am delighted that you approve of Dr. Sadler's Liturgy. Your publishers promise me a copy of their reprint. With our united kindest regards,

Ever faithfully yours,

JAMES MARTINEAU.[1]

REV. J. H. ALLEN.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

35, GORDON SQUARE, LONDON, W. C.
Mar. 12, 1881.

DEAR MR. ALLEN,

I received with real delight your fascinating volume, and not less so your letter, with the good tidings of your probable visit to Europe a few months hence. Before that time I shall hope to have given more than a rapid glance at the Fragments of Christian History, so as to be in possession of some distinct impressions of the several subjects and your mode of handling them. Though, alas, even the small competency I once had to speak on these historical themes I have in great measure lost through the necessary limitation of my later studies to the philosophical subjects with which it is my function to deal. My interest however in the life of past ages, especially, in the history of early Christendom, is even sharpened by my exile from the literature relating to it: and I kindle up at the very titles of your Essays. I sincerely hope that you will not have earned in vain your admirable qualifications

[1] It is a matter of regret that a gap in the preserved correspondence occurs at this point. It would have been interesting to read what Dr. Martineau wrote to Dr. Allen after what he had declared to be "impossible objects" had become accomplished facts.

for the chair[1] which you have temporarily filled; but that a position so congenial will be confirmed to you in permanence.

I am most anxious that, if you come over this summer, your time in London should include the week beginning with the 19th of June. It is the week which closes our College Session: and though the examinations and various meetings render it a very busy time, they gather together a good many friends whom, I think, you would like to see. And, — to urge a more selfish reason, — both before and after those few days I shall be, — with my daughters, — far away in Inverness-shire, where we now live for five months in the year. If, indeed, you would come and see us *there*, that would be better than London, and we would find our way together to the top of Cairn Gorm and through some of the forest walks. But then, unfortunately, my cottage is very small, and gives me only one bedroom at disposal; and there is no inn or boarding-house within twelve miles: so that my hospitality, — except by day, — is perforce limited to *one*. It is just possible, however, that I might be able, in some farm house near, to find a supplementary lodging, if you can bring so remote a place within the range of your movements. We shall be delighted to be introduced to your son and daughter.

My young people (no, I must not call them so, for they all remember well your visit of twenty-six years ago) join me in the warm remembrances with which

I am, Yours most truly,

JAMES MARTINEAU.

REV. J. H. ALLEN.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

35, GORDON SQUARE, LONDON, W. C.
Jany. 29, 1884.

DEAR MR. ALLEN,

I know you will indulgently remember, in excuse for my delayed acknowledgment of your most welcome letter and volume, that "the steps of an old man are slow." Of your instructive and interesting sketches of Christian History[2] I have long ago read the substance (forgive the "metaphysical fiction") of both volumes; with the result of at once procuring them for the use of our students in the College Library, who are constantly referred to them by my accomplished

[1] Dr. Allen was Lecturer on Ecclesiastical History in the Harvard Divinity School from 1878 till 1882.

[2] Christian History in its Three Great Periods.

colleague, Professor J. E. Carpenter, in his Lectures on Ecclesiastical History.

To me they are in a high degree fascinating; none the less, — indeed, rather the more, — that with their underlying philosophical conceptions, as brought out in the chapter entitled Passage from Dogma to Pure Reason, I do not find my usual ways of thinking quite in accord. If I interpret you aright, in your appeal to "fact," as ultimate verifier, your criticism proceeds upon the Positivist theory of what Knowledge is, viz. that we know only phenomena and their laws of grouping and succession. Now I admit this to be an adequate account of the business of *Science* and of the conditions of *prevision*. But I must add that *Phenomena* cannot be known without *Noumena*. The word is one term of a Relation, and has no meaning without the other: a phenomenon is a phenomenon of *something;* it is *somewhere* and *some where ;* it cannot be thought, but as from a *cause:* and involves, as correlates, the Noumena Substance, Space, Time, Cause; — all of them, if you please, supplied purely by the Intellect (or Perceptive Power, as Kant would say, of two of them) itself; but not on that account less inherent in the act of knowing and essential factors of it, than the matter of sensation as felt. Why we should consider the phenomenal, i. e. the *sensible*, side of this relative act, *real and trust-worthy*, and the *intellectual* a *fiction* and a *phantom*, I cannot see. I therefore hold, with Descartes, that, in these last resorts, "*the thought of the mind represents the truth of fact*"; and further, that "observed fact" has and can have no better guarantee than such "metaphysical fictions." "Fact" is ascertained by Perception; and Perception carries in it the "Thought of the Mind," without which it does not become predication at all: and any distrust felt towards the "Thought" equally affects the "Fact." To impugn the Noumena is to be left without the Phenomena.

You will see, from this confession, why I do not feel the "despairs of Metaphysics," or the disaffection towards the schools of speculative philosophy, which the modern preoccupation with the Inductive Sciences has for awhile rendered prevalent. So long as knowledge is a relation, and an antithetic relation, between Knower and Known, it cannot dispense with equal faith in both; and what the Subject, *quâ* apprehensive, necessarily thinks, enters into the Real no less than what Object universally gives. Philosophy as I understand it, takes charge of the former, i. e. of the *constants* of knowledge; Science of the latter, — i. e. of its *variables*. If either pursuit ever dreamt of doing the work of the other, i. e. if it set up for a knowledge of "the Absolute" (which appears to me an unfounded charge), such an illusion merits exposure. But such a mistake is no more implied in the mediæval exaggeration of the De-

ductive method, than it is in the present overestimate of the Inductive. The error, in both instances, seems to me a mere attempt to cover the defect of the age by overstraining the resources of its strength.

You will set me down, I fear, as a hopeless subject, when I own to feeling still some "difficulty" in saying that "Matter thinks." My reason is simply, that "*matter*" is a word meaning exclusively what is or may be an *object* of perception; while "*thinks*" is predicable exclusively of a *subject* of the perceiving act; and as these exist only in and by antithesis, to unify them is to cancel them. The appreciation of this unconquerable antithesis is gradually gaining ground, I am happy to see, among the living or recent representatives of the "empirical school," whose first leanings were towards materialism and who still linger on its precincts. There is a marked tendency among them towards a Leibnizian form of conception, — providing, under the name of "Mind-stuff" or some equivalent, a separate germ, in the primordial data, for the future developments of consciousness, concurrent with the initiation and development of the material system. Croom Robertson[1] seems to lean in this direction, — as Clifford[2] evidently did; and hints to the same effect drop out pretty frequently in the newer literature; — partly, no doubt, influenced by Lotze. I welcome this change, not as introducing a satisfactory hypothesis, but as acknowledging a limit to the resources of evolution, and a returning suspicion of the intractable character of absolute monism.

With regard to Kant, I am quite at one with your appreciation of his stand made upon "the solid ground of Ethics." But what constitutes its *solidity* seems to me simply this: that in the Practical Reason he *accepts and affirms* the implicit postulates of the faculty which he is expounding; while, in the Pure Reason, he *challenges and denies* their validity. For this difference I see no shadow of justification. The *Subjective* character of the assumptions, — which is all that he proves in the Pure Reason, — is there used as the plea for discrediting them:

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[1] The reference is to George Croom Robertson (1842–1892), a graduate of the University of Aberdeen in which he was made assistant-professor of Greek in 1864. At the time of his appointment (1866) to the professorship of Mental Philosophy and Logic in University College, London, Dr. Martineau was also a candidate. Robertson belonged to the empirical school of philosophy and for that reason had the active support of Grote and Mill against Dr. Martineau.

[2] William Kingdon Clifford (1845–1879), F.R.S., a mathematician and philosophical writer of note. He was a graduate and Fellow of Trinity College, Cambridge, and Professor of Applied Mathematics in University College, London.

in the Ethical book, it is used as the adequate ground for faith in them. But, in this last sound step, he does not pass into any new field of empirical logic; he only repents him of his sins, and makes the *amende honorable* to his maltreated intuitive forms of thought: he takes back into trust his discarded old tutor, — Metaphysics, — this and nothing else. So that I cannot agree with the view, that the first book abolished the metaphysical régime, and the second inaugurated the inductive.

If we were face to face, I should like to have exchanged ideas with you on other topics, — e. g. Justification by Faith. But such subjects are too large for these days of hurried correspondence. I see that much of the difference in our modes of viewing religious problems is due to my old fashioned habits of mind, less imbued than your younger thought with the rationalizing Zeitgeist. The world is with you. And though I mean to leave a little testimony to the faiths which have been the light of my life, I fully expect that, if listened to at all, it will be soon forgot, lost in the countless waves from which at last some better truth will dawn.

Believe me Ever,

Yours most sincerely,

JAMES MARTINEAU.

REV. J. H. ALLEN.

JOSEPH HENRY ALLEN TO JAMES MARTINEAU.

[*Draught of a portion only of a letter dated 13 February, 1884.*]

Those laws of thought expressed in the categories of cause, space, time, and the like, I make no doubt whatever are the expression of truth — nay, of truth objective to the mind that thinks. But the mediæval Realism assumed a good deal more, in claiming that "the thought of the mind represents the truth of fact." For example, the whole theory of the Logos as a superhuman personality, with its attributes and functions, and the conditions of its manifestation in a human life, was, as I take it, a purely subjective apprehension, developed (like the German's camel) out of Men's "moral consciousness" — yet none the less having to them an objective reality, which one might be burnt at the stake for questioning. Those curious questions treated by Thomas Aquinas, with absolute simplicity of faith that he can give a valid answer by a mere mental process (some of which I gave on p. 222 of The Middle Age), are illustrations of a state of mind which only began to be dispelled when Descartes began to think

and therefore to be. In short, that menacing and tyrannical system of dogma, from which only a small part of Christendom is yet delivered, is (to our view) a vast and horrible phantasmagory, in which "the thought of the mind is assumed to represent truth of fact." It is this style of "realism," not at all that which helps make clear to us the essential conditions of the mental life, that I had in mind; and to insist upon the fact (which our students ought to know) that Protestant orthodoxy is only a stranded wreck of that old phantasmagory.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

THE POLCHAR, ROTHIEMURCHUS, AVIEMORE, SCOTLAND.
Aug. 19, 1888.

DEAR MR. ALLEN,

As Editor of the Unitarian Review and long an observer of our English affairs, you know enough of the Unitarian Home Missionary Board in Manchester, to be aware that its Principal cannot fail to be in the foremost rank of our Theologians and Preachers; and you will readily allow me to commend to your kind regard the present occupant of that office, Rev. J. Edwin Odgers, who, with his equally worthy younger brother, Rev. J. Collins Odgers, is proposing to devote the vacation months to a sojourn in the U. S. A., and especially in New England. You will recognize in them, I venture to say, the true stamp of the English scholar, and the simplicity of the earnest divine. They desire especially to see and know what they can of Harvard and its Divinity School.

I take the opportunity of this note, to thank you for the June number of the Unitarian Review. I found Prof. Everett's notice of my book[1] only too generous in its literary and personal appreciations. And if, in his exposition of my way of thinking, I could not always recognize myself, this no doubt arose from an incapacity in me for transposing myself to his (apparently Hegelian) point of view. Where the theory of knowledge at the outset is different, mutual understanding is thereafter impossible. I felt, therefore, a certain want of a preliminary *éclaircissement*, such as would have come out, had he addressed any criticism to the opening Book of the Treatise. If you see the Dutch Periodical, De Tijdspiegel and happen to have read, in the July and

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[1] Study of Religion: Its Sources and Contents. Dr. C. C. Everett's Notice appeared in the Unitarian Review for June, 1888, xxix. 485–508.

August numbers, a Review by Prof^r Van der Wÿck of the Study of Religion and of Prof. Rauwenhoff's Wijsbegeerte van den Godsdienst, you will catch my meaning. Still, I have every possible reason to be grateful to Prof. Everett. The difference of School is involuntary and inevitable.

I remain, always,

Yours most truly,

JAMES MARTINEAU.

REV. J. H. ALLEN.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

35, GORDON SQUARE, LONDON, W. C.
Jan. 31, 1889.

DEAR MR. ALLEN,

My friend, Mr. Odgers,[1] has made me partaker of his many pleasant and heartening impressions of Boston and Cambridge life; among which none were more welcome to me than those which came out in answer to my enquiries about yourself and your work. He has since communicated to me the proposal[2] which your kind letter of the 17th inst repeats with some additions. It has so much to recommend it to the feeling of our co-religionists here, that it is very likely to receive encouragement, especially in the absence, just now, of any periodical organ of liberal theology, beyond the weekly newspaper or purely popular reporters of practical affairs.

I am sorry that my personal judgment, after reflecting on the condi-

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[1] Rev. James Edwin Odgers, D.D.

[2] Of which a copy is at the rooms of the American Unitarian Association.

Dr. Odgers writes to me as follows concerning this "proposal": —

I have no doubt that this refers to a matter discussed between myself and Mr. Allen, — first opened to me by him when I was in Boston in October, 1888. I regret that I cannot lay my hands upon documents in relation to it; but I destroyed a number of letters and papers when I left Bowdon for Oxford, in 1894. The successor of the National Review, the Modern Review, and the revived Christian Reformer had come to an end; and in 1888, the English Liberal Non-conformists were without an "organ" of the higher and more solid sort. I believe I am right in saying that Mr. Allen proposed to me (October 10, 1888) to attempt turning the Unitarian Review into an International Theological Quarterly, England to furnish a sufficient subsidy and a co-editor. On my return, I printed and circulated his letter, asking for expressions of opinion, which were discouraging. To this, Dr. Martineau undoubtedly refers in January of the next year. His reasons are based upon just the same sort of considerations as he refers to in his memorable letter to Mr. Allen printed at the end of Mr. A.'s Unitarianism Since the Reformation (1894), pp. 247–249. . . . Dr. Martineau would have nothing to do with a *Unitarian* Review; and Boston intended to fly that flag.

tions of the case, is not favourable to the scheme. Our religious position in this country is historically and essentially different from yours. You have, and desire to have, an organized Unitarian Body existing as a Unitarian Church. We have not, and are bound, by our antecedents, our Foundation-deeds, and our professions, not to have; our ecclesiastical existence and life having no relation to any particular type of theological opinion that may happen to be prevalent among us at this or that season of development. A *theological* organ is, therefore, *eo ipso*, unfitted for representing the common interests of our religious life.

And, on the other hand, a Review which is to do the important work of a Theological organ of criticism and research, cannot possibly assume the name of a particular type of theology. Such a renunciation of all pretension to intellectual impartiality cannot be corrected by any attempt to make the *Unitarian* name cover indefinitely more than belongs to its original and well-understood meaning. It grieves me beyond measure, morally even more than logically, to see an ever-increasing tendency to this tampering with the exact meaning of indispensable words.

It strikes me also that, from time to time, there must arise, in either country, questions of pressing interest, social and political, which are of no concern to the other. The local colouring which would thus be imparted to the Review, I do not think it would be desirable either to withhold or to obtrude. I believe that we shall help one another best by the separate work of free hands.

All the more, for this opinion, do I thank you for the copies of the Review which you have kindly sent; and which I am reading with much interest. The report of Dr. Hedge's recovery delights me more than I can tell.

Believe me, Yours most truly,

JAMES MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

35, GORDON SQUARE, LONDON, W. C.
March 28, 1890.

DEAR MR. ALLEN,

I am delighted at the prospect of seeing you again on this side of the Atlantic, whether it be in London or in the Scottish Highlands. We shall not remove to our Northern cottage till the third or fourth week in May. But if you are disposed, after that time, to stroll about

with me on foot or drive in a little open carriage, among our hills and forests, we shall heartily welcome you, and, if our small cottage should be full, shall easily find you a night's lodging with a friendly neighbour.

You do well to take counsel with younger and more hopeful men than I in regard to your projected Quarterly Journal:[1] and I have little doubt that you may find energy enough to float and conduct the enterprise. More "modern" men will not feel the difficulties which withhold me from participation in it. The phrase "Liberal Theology" is made to cover so much that, in my view, is foreign to Theology altogether, that its intellectual claims carry in them no tincture of religious interest. Were it honestly set forth as "*Anthropology*," I should care much for it, in its place and relations: but it is spoiled for study, till it relinquishes its apotheosis. The question "How religions (as human phenomena) grow," is of much psychological interest; but either evades the question which lies behind it "Whether and how far they *are true*," or treats it as a choice of more or less accurate expression of an order of subjective feelings and conceptions, just as the processes of plant growth may be loosely or exactly described. Henry Drummond's book, Natural Law in the Spiritual World, seems to me a useful *reductio ad absurdum* of the whole system of illusory analogies between instituted phenomenal order and the Principia of eternal being. To me, Monism in any form, Idealistic or Materialistic, is tantamount to a negation of Religion. I mean, of course, in its logical results, not in the conscious thought of those who hold it.

Your report of Dr. Hedge interests and touches me profoundly. It is natural for us lingering veterans to watch each other's steps down the declining path with wondering sympathy, and welcome every peaceful reach of the way with a fellowship of thankfulness. I can count on the fingers of one hand the little octogenarian band of comrades in the life-campaign.

Believe me, always,
Yours most truly,
JAMES MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

THE POLCHAR, ROTHIEMURCHUS, AVIEMORE, N. B.
July 24, 1890.

MY DEAR MR. ALLEN,

Your triple call at Burleigh Street makes me ashamed of my inconsideration in troubling you with Mr. Wylie's commission. I shall tell

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[1] See above, p. 441, note 2.

him of your good offices, and of my belief that "Tit-Bits"[1] is a humbug, depending, like mice, on the nibbling of manuscripts. I am persuaded that he will get nothing back; though perhaps, on my return, I may make another attempt. I thank you heartily for so kindly acting in my stead.

My friend Upton[2] and his wife have left us after a fortnight's sojourn in which we have rambled far and wide, physically over hill and forest, spiritually over more than one universe, actual or possible or impossible. After this annual audit of metaphysical accounts, I can start afresh with a mind at ease, and with less fear of bankruptcy. I wish you could have been a party to our colloquies. But you are better where you are; with Mr. Odgers[3] you will at least keep your foot on terra firma, and work out something that is good. Give him my kindest regards, and those of an old friend of his who is with us, Miss Jevons.[4]

We shall think of you often on your homeward voyage, and long after. May the seas bear you gently, and restore you happily to the dear home.

Yours affectionately,
JAMES MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

THE POLCHAR, ROTHIEMURCHUS, AVIEMORE, SCOTLAND.
Oct. 28, 1890.

MY DEAR MR. ALLEN,

It interests me much to hear the result of your negotiations with our friends on this side for the establishment of a common organ of religious thought and movement. Old age and temperament forbid me to be sanguine in such matters: but I have no doubt that the enterprise will bear some good fruit, in excellent papers which, without such a μαιευτής[5]

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[1] An English penny weekly magazine of a sort indicated sufficiently by its title.

[2] Professor Charles Barnes Upton, of Manchester New College.

[3] Rev. James Edwin Odgers, D.D. Mr. Allen was a guest of Mr. Odgers at his house in Bowdon, Cheshire, at the time this letter was written.

[4] Miss Mary Catharine Jevons was a cousin of William Stanley Jevons, LL.D., F.R.S., the economist and logician.

[5] Our senior Vice-President, William Watson Goodwin, D.C.L., calls my attention to the fact that in using this Greek word (meaning man-midwife) Dr. Martineau "refers to the common, jocose remark of Socrates, that he was the son of a midwife (see Plat. Theaet. 149 A, ὡς ἐγώ εἰμι υἱὸς μαίας), and that he acted as a midwife to deliver other men of the thoughts that were in them, though he never gave birth to anything new himself. This is found in the Theaetetus, after the words quoted."

would never see the light. My own relation to it, — I fear I must definitely say, — can be only that of an eager reader, not of a writer. What I have thus far set forth brings me to a natural pause: and till I know more, or unlearn what I only seem to know, it is fitting for me to be silent and simply look for light.

The October number of your Review can at present be acknowledged with only blind thanks: for it has not been forwarded to me here. I shall doubtless find it when we reach home at the end of this week. I saw the notice of Dr. Hedge in The Unitarian.[1] It is pleasant in its truth and tenderness, but needs the more comprehensive and varied portraiture which I expect to find in the Review.[2]

Mr. A. W. Jackson, I learn, is now in London, and I hope to see him for an evening on Monday next. He has been staying at Oxford; and he and Professor Upton are delighted with each other. He has discovered, in his visit to the old University, that he must make a study of Hegelianism, and follow it from its fountain-head to its English derivates, if he is to understand our problems here and now. I do not wonder that he is half-frightened at the prospect of this task.

I have sent to the press the first volume of the Studies, Reviews and Addresses which I have been selecting and classifying for re-publication. It will be ready, I hope, by Christmas. It will consist chiefly of Personal or Biographical sketches; followed by two or three Political papers. The other volumes will appear, if no hitch occurs, at intervals of three months.

Our return home is invited by a sudden change to winter here; the landscape being clothed in snow from the mountain-tops to our very doors. Yet so lovely is it that my persevering daughter, Gertrude (whom you did not see), has been sitting out in it at Loch-an-Eilan to sketch, and fix the beauty ere it flies.

With our united kind regards, I remain

Yours most cordially,

JAMES MARTINEAU.

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[1] By the Rev. Howard N. Brown, in The Unitarian for October, 1890, v. 490–492.

[2] Frederic Henry Hedge, the leading article in the Unitarian Review for October, 1890, xxxiv. 281–301, written by Mr. Allen, then editor of the Review.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

THE POLCHAR, ROTHIEMURCHUS, AVIEMORE, SCOTLAND.
July 1, 1891.

MY DEAR DR. ALLEN,

Our return to these summer quarters, where your presence brightened a few of our days last year, reminds me, not without self-reproach, that I still owe you my acknowledgments for your kind and welcome letter some five or six months ago. Its gift of one volume and promise of another were most acceptable: for I find both stimulus and refreshment in all that you write, and cannot but expect the same from any family memorials edited by yourself and your sisters. The advance of life sheds an ever-tenderer charm over the vanished forms and remembered modes of life that can never re-appear as they were, and yet are still living with new varieties of blossom in the present. Nothing of late has so brought home to me the wonderful depth and extent of modern ecclesiastical and moral change, as the late Dean Church's book on the Oxford Movement, a series of papers, by a large-minded observer, rendered singularly interesting alike by its personal sketches and its connected thread of historical development. The book very seasonably relieves the somewhat oppressive one-sidedness of Dr. Edwin [A.] Abbott's and F. W. Newman's volumes upon the late Cardinal.

That my correspondence has flagged of late is due in part to constant pressure from my printers, and in part to my rashness in undertaking a course of fourteen lectures at University Hall, in connection with Mrs. Humphrey Ward's institution centered there. I did not get *many* hearers of the half-educated and unsettled class chiefly contemplated by me; the Hall being filled mainly by people with sufficient culture and access to books to render them independent (if they would but use their resources) of any help that I could give. I can only hope that I may have set a few of them to work out for themselves the problems which they are too ready to leave floating in suspense.

Our excellent friend, Dr. Sadler, has been obliged, through failing health, to retire from his charge at Hampstead. Some of the congregation are desirous of securing Mr. Brooke Herford as his successor: and the idea finds favour with those who are anxious to give the society a more vigorous working character. On the other hand, younger names are mentioned as more attractive to hearers belonging to the upper intellectual stratum of the congregation. Means, I trust, will be found for avoiding any hurtful conflict of interest or feeling. The position is

a very important and somewhat delicate one: and its difficulties have been admirably neutralized by Dr. Sadler's Christian tact and catholic temper.

I am expecting Prof. Upton tomorrow for the fortnight's visit which he annually pays us: and hope to hear of the progress of the little book on Ethics on which he is engaged (by Dr. Percival of Rugby and Dr. Evelyn Abbott of Oxford) for the Home-Reading Library. Mrs. Upton, I am sorry to say, is too much enfeebled by a long rheumatic attack, to come with him so far North. I fear the Oxford climate does not suit either of them well.

My daughters send kindest remembrances.

Ever affectionately yours,

JAMES MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

THE POLCHAR, ROTHIEMURCHUS, AVIEMORE, N. B.
Aug. 21, 1891.

DEAR DR. ALLEN,

Having just enjoyed some daily communion with you in your two volumes, — the Family Memoir[1] and Positive Religion,[2] I must indulge myself with a few words of heartfelt thanks by way of Appendix. The biographical volume has interested me profoundly, both by retouching old memories and opening to me new affections towards a whole group of the wise and faithful "whom, having not seen," I shall henceforth "love." The early pages carried me back to my Dublin ministry, during which both Dr. and Mrs. Kirkland and Henry Ware Junr and wife were repeatedly visitors at my house, — the former, anxious to find, in their common maiden-name of *Higginson*,[3] a link of relationship

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[1] Memorial of Joseph and Lucy Clark Allen (Northborough, Massachusetts). By their children. Boston, 1891.

[2] Positive Religion: Essays, Fragments and Hints, Boston, 1891.

[3] Dr. Martineau's statement is not strictly accurate. Mrs. Martineau was Helen Higginson, eldest daughter of the Rev. Edward Higginson (1781–1832), Unitarian minister and schoolmaster at Stockport and Derby. She was married at Derby 18 December, 1828, and died 9 November, 1877, at the age of seventy-three (Dictionary of National Biography, xxvi. 372; and Supplement, iii. 146–151).

Mrs. Kirkland, born Elizabeth Cabot, was baptized at Beverly, Massachusetts, 2 October, 1785, married at King's Chapel, Boston, 2 September, 1827, and died 17 August, 1839. She was a daughter of the Hon. George Cabot,

between Mrs. K. and my wife. Notwithstanding some vestiges of paralytic affection, Dr. K. left on me an ineffaceable impression of dignity and graciousness, and Mrs. K. of energy and genial vivacity. Mrs. Ware was much out of health,— liable, I think, to fainting fits: and this so far affected *his* spirits that, though he could never be less than interesting, he hardly satisfied the enthusiasm which his writings had kindled in me. During the Peace-Congress in Paris which your father attended in 1849, I was, with my family, in Germany, dodging "the dogs of war" by various movements, and coming upon traces of it in Berlin and Vienna, in Prague, and the Taunus, and Baden. It was a memorable crisis, the effects of which are still developing themselves in Europe, from Paris to Moscow, from Copenhagen to Palermo. The whole of your father's life after this visit to Europe, with the successive home changes, is deeply interesting and touching. It was a marvellous triumph of self-control that he could persist in his faithful ways, and not be unhinged and broken down by the thought of the patient sufferer through all those years at home. The peculiarity, which you have as well brought out, of his position as (originally) minister of *his town*, I greatly admire and respect, and cannot help preferring to the *fissiparous* disintegration of modern religious society into a congregationalism, the law of which is, for the most part, the survival of the unfittest. I cannot but envy you your comfortable belief that the actual, being given by evolution, is always the best.

In regard to the essays on Positive Religion, I find myself in this condition. You take me up, page after page, into heartfelt sympathy, admiring what you admire, loving what you love. Our ideals are the same. This concurrence of estimate, as to what is highest and rightest in character and life, I should call an *ethical* sympathy. There is however an ulterior question: "What and whence is this ideal?" Has it any objective reality? If *yes*, viz. in some nobler soul than ours, then our reverence for it is still *ethical*, just as it would be, were it simply an imagining of our own. Whether, over and above its being *ethical*, it is *religious*, speaking to us with an authority more than that of human preference, depends, I should say, on its being the manifestation of a Living Divine Will wherein the Holiness suggested is real. This

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United States Senator from Massachusetts, and his wife Elizabeth Higginson, daughter of Stephen and Elizabeth (Cabot) Higginson. Stephen Higginson (1743–1828), the eminent merchant of Boston and the reputed author of the Writings of Laco, was Mrs. Kirkland's maternal uncle and the father of Stephen Higginson (1770–1834), long Steward of Harvard College who was sometimes styled the Man of Ross.

origin of it, as a communion of God with man, is what makes it sacred to me, and turns my obedience to it into worship, and renders possible that *trust and love* towards it which can subsist only between person and person. But, if I understand you aright, you invert this relation, and regard the word "*God*" as significant only of an unwarrantable personification of the *ideal itself* as a subjective phenomenon: so that we, in fact, *invent* a Divine Righteousness in our desire to borrow a transcendent authority for our own. I am unable to accept this ethical reduction of the contents of Religion, or the postulates on which it is based. While therefore I am, for the most part, at one with your ideals and often greatly moved by your impressive presentation of them, I cannot rest content with their self-authentication and limitation to the Finite world.

We had an interesting visit here from your excellent Miss Bartlett,[1] *the lady Rev^d.*, and were much taken by her. She preached with much acceptance at Monton.[2] Her example however does not quite convert me to the new mode.

My daughters unite in warm regards.

Ever affectionately yours,

JAS. MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

35, GORDON SQUARE, LONDON, W. C.
[May, 1894?]

DEAR DR. ALLEN,

On 364 days of the year I wonder at the old Hebrew yearning for length of life and glorification of old age. But the remaining day converts me for twenty-four hours by mere force of congratulation and the charm of the gracious and friendly letters that lie in heaps upon my table: so that I think nothing more delightful than the first step into my 90th year. You have a large share of my gratitude for this happy illusion, if illusion it be: for nothing is more welcome and cheering to me than the benediction which you waft to me over the Atlantic. For

[1] Miss Caroline Julia Bartlett, ordained in 1889, since the wife of Dr. Augustus Warren Crane of Kalamazoo, Michigan. She is now called Mrs. Bartlett Crane.

[2] Monton is a suburb of Manchester. Miss Bartlett preached in the pulpit of Dr. Martineau's nephew, the Rev. Philip Higginson, whose church is regarded as the most beautiful Unitarian Chapel in England.

a little while the affectionate words of like-minded friends keep at bay the old man's disheartening feeling that he has outlived his time. But on slipping back into the current of prevailing experience, he feels how it is drifting away from his ideals, and even wandering into desert sands which it cannot fertilise. I look with some anxiety on the tendencies of our religious body both here and in the United States; every critical turn in our history rendering it more evident that, instead of developing the inspiration of our higher traditions, we are surrendering ourselves to the lower. The future, I believe, is not yet closed against us, if there were but a soul great enough to lead us. But it seems, alas! as if "the Sun had gone down upon the Prophets"! I cannot be surprised at the outbreak of divisions, when I see what a so-called *Church* may come to be in some of your "advanced" stations, and in some of ours.

I shall look with eager interest for your promised volume.[1] Probably, the impression which it leaves will be stronger and clearer, from its not being combined with the work of another hand or the history of another time.

With our united kindest regards,
I am, always,
Yours most cordially,
JAMES MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

35, GORDON SQUARE, LONDON, W. C.
May 27, 1895.

DEAR DR. ALLEN,

I am delighted to receive, and delighted to reciprocate, your congratulations. Your day of blessing and family gathering this month[2] I can realise with the deeper sympathy from its brightness in contrast with the parallel experiences of my own life. On the same day I visited, with my daughter Gertrude, her mother's grave, who was taken from us just one year before the Golden Wedding became due. And, instead of being surrounded, as you happily are, by a joyous crowd of descendants, I am quitting the world without leaving a grandchild to

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[1] An Historical Sketch of the Unitarian Movement since the Reformation (American Church History Series), New York, 1894.

[2] The reference is to Dr. Allen's golden wedding anniversary which occurred 22 May, 1895.

hand down the household memory and name. This deepens the sense of solitude which is inseparable from the later stages of so prolonged a life. Yet I am grateful for the lengthened stay, under conditions which leave the essential interests of life still unimpaired, and its energies hardly touched by any disabling infirmity.

My daughters join me in cordial congratulations on your happy arrival at so memorable a date in domestic experience. We are on the eve of our annual removal to Scotland; which obliges me to be brief.

Ever affectionately yours,

JAMES MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

THE POLCHAR, AVIEMORE, SCOTLAND.
Oct. 7, 1896.

DEAR DR. ALLEN,

I am in your debt for two kindnesses which claim and have my cordial gratitude, — the copy of your Divinity School Address at Harvard; [1] and the note offering me the privilege I should so highly value of personally welcoming Miss Charlotte Hedge.[2] This, alas! to my deep regret (in common with my daughters), has been missed through our summer flight to these Caledonian Highlands. From a note inclosing yours, which she addressed to my London home, I learn that she must already have left our shores. I can only beg you to assure her that our disappointment is great at the loss of an interview so interesting in itself and connected with memories so sacred.

The Harvard Address I have read and re-read with a sympathy truly delightful. I take for granted that you will issue it in separate and permanent form. All the characterisations which my limited personal or literary knowledge enables me to test appear to me admirable in their discriminative touches. Perhaps it may be pardoned to my non-agenarian predilections, if I say, as the result of the retrospect, that, tried by an *intellectual standard*, the old School was better furnished for the problems with which the *data* of its time enabled it to deal, than its successor. Norton, for instance, made out, I think, a stronger case for *his position*, from the admitted premises of contemporary criticism,

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[1] The Old School and its Work. An Address before the Alumni of the Harvard Divinity School, 23 June, 1896. It is also printed in Dr. Allen's Sequel to Our Liberal Movement, Boston, 1897, pp. 1–21.

[2] Daughter of Dr. Frederic H. Hedge.

than Dr. Furness did *for his*. And Theodore Parker, to accomplish the great strides which his theology took, had to set his philosophy upon very precarious stilts. James Freeman Clarke, perhaps, represents the nearest approach to a reconciliation of the needs of Christian piety with the claims of modern Science and of critically tested History. But there yet remained behind, as there still remains, to be dealt with in a further step of effective Evolution, the sweeping claim of the Hegelian dialectic; the influence of which is apparent in Dr. Hedge, but not, as far as I can see, reduced to its terms of final estimate. So much do we owe to you, our brethren of the West, in the Past, which you have so faithfully sketched, that our hopes naturally turn to your Future, and we wonder whether, for the crowning stage of our spiritual life, we are to look still further West, to Prof. Le Conte of California University, or to some equally fresh mind similarly freed from the prejudices of our old world.

With our united kindest regards, I remain, always

Affectionately yours,

JAMES MARTINEAU.

JAMES MARTINEAU TO JOSEPH HENRY ALLEN.

THE POLCHAR, AVIEMORE, SCOTLAND.
June 16, 1897.

DEAR MR. ALLEN,

You must not measure the delight with which I welcomed your Sequel[1] by the defective promptitude of my acknowledgment. The tardy pace of a nonagenarian's reading and reflection keeps him always in arrears with the tasks that watch him with reproachful looks from his book-tray: and day after day have I turned my longing eyes upon your volume, before I could earn, by clearance of overdue debts, the right to enjoy it. At last I am free to report the warm interest and satisfaction with which I have not simply read but *studied* your five instructive papers; often learning what was quite new to me in the history of your "School of the Prophets," and almost always sympathizing with you in such estimates of their work as I was at all competent to follow. It is perhaps venial in me if, coming as I do from some "Forty Years" earlier, I cannot fully accept your dictum that, in these "Forty Years later," the questions raised by the Liberal movement "are not those of theory, but of life," viz. of "Ethics and of social order."

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[1] Sequel to Our Liberal Movement, Boston, 1897.

Are they not, and must they not forever be, *both?* And is it not the function of the "Liberal movement," — not to contrast, but to reconcile and unify them? That the *thought* which is *true*, and the *will* which is *right* should be strangers and even foes to each other, seems to me an assumption at variance with Religion itself, as an interpretation of the Universe. I cannot yield to the modern resolution of Religion into a mere psychological phenomenon of Man, belonging to *Anthropology*, inflating itself into a *Theology; in fact* an "Ideal," but *fancying itself* "*Real.*" The tendency of our religious language to slip into this form is, in my view, a misleading deviation from the older phraseology of *Personality.* Ethics are shorn of their *supremacy*, unless accepted not simply as giving the rule for finite conduct, but also as the revealer of an Infinite Righteousness. Except in the third paper, I seldom find the pantheistic drift in the forms of expression too strong for me in your delightful personal sketches and comments: of which those on Hedge, Freeman Clarke, Parker and O. B. Frothingham, are rendered profoundly interesting from my having been admitted, more or less, into personal relations of friendship with these admirable and impressive men.

The chief recent fact, of biographical interest, in the experience of our friend F. W. Newman, is his expressed wish (in a letter to Miss Swanwick)[1] to be regarded as having become "a Christian." This means, I think, that having (from Evangelical prepossession) been alienated from the simple Theism of Jesus himself and identified Christianity with Paulinism and its Redemption scheme, he now reverses this, and finds in the personal faith and teaching of Jesus the truths which bring us into right relations with God. He has written, or dictated, an Essay which will explain and justify his final religious position in this sense. He is obliged to employ an amanuensis, and laments his failure of memory. But his letters are quite coherent, and his interest in persons and events still wide awake.

I remain, always,

Yours cordially,

JAMES MARTINEAU.

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[1] The reference is to Miss Anna Swanwick (1813–1899), LL.D. She was a Hebrew, Greek and German scholar, and translator, and was deeply interested in social questions, especially that of women's education. She was of the Councils of Queen's and Bedford Colleges, London, and assisted in founding Girton College, Cambridge, and Somerville Hall, Oxford. A prominent Unitarian and a delightful conversationist, Miss Swanwick was the friend of Crabb Robinson, Tennyson, Gladstone, Browning, Martineau and Sir James Paget

By the kind permission of Dr. Allen's daughter, I am able to add the following letter, which Dr. Martineau wrote to Miss Allen after her father's death: —

35, GORDON SQUARE, LONDON, W. C.
April 14, 1898.

DEAR MISS ALLEN,

I am deeply touched by your kind remembrance of me, as an assured sharer of your sorrow in the early days of your bereavement. In the host of friends whom I have outlived, there are few indeed so congenial to me in counsel and so honoured by me for truth of thought and fidelity of character as your dear father. His evident self-dedication to his work in life, — to find and report and do the right as interpreter of things, human and divine, — won my affection from the first and made me an eager reader of all that he published. The response of his nature to the influence of Henry Ware brought out the tenderer lights of his spirit; which, I have sometimes thought, might have remained latent, had the order of the two lives been inverted. Not even yet, indeed, is the fusion complete with us of rational with enthusiastic religion. Great changes doubtless still impend.

It comforts me much to hear that your father was permitted to make without pain the passage from the mortal to the immortal life. It secures to the survivors a calm and gentle memory, and a sweeter opening to the light of diviner scenes. If I am still a lingerer here, I shall eagerly watch for the appearance of the translation of Renan's Les Apôtres. But I hope that we may reckon on seeing an edition of your father's collected writings, — with perhaps additions from his manuscript stores which have not yet seen the light. I feel little doubt, that he has kept up with the recent and ever-growing theological literature published in Germany and France, and perhaps recorded his impressions of it. It cannot but materially affect the future of Christendom. But our "Established Churches" take no notice of it. With renewed thanks for your memorable letter, I remain,

Yours very cordially,

JAMES MARTINEAU.

MISS MARY WARE ALLEN.

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who, with many other distinguished men, were frequent visitors at her house. She received from the University of Aberdeen the degree of Doctor of Laws (Dictionary of National Biography, Supplement, iii. 374).

The Rev. HENRY A. PARKER related an episode of the Civil War which threw a side-light upon the character of the United States Secret Service.[1]

Mr. DAVIS announced the incorporation of four new Historical Societies: —

GRAND MUSTER LEGION OF THE SPANISH WAR VETERANS.

Purposes. "To perpetuate the Records of the Campaigns of the Spanish-American War of 1898."

Date of Charter. 9 May, 1899.

MASSACHUSETTS STATE SOCIETY UNITED STATES DAUGHTERS OF 1812.

Purposes. "To perpetuate the patriotic spirit of the men and women who achieved and established American Independence, and in particular to honor the memory of the Soldiers and Sailors of the War of 1812–15, commonly called the second War of Independence, when the authority of the United States upon the high seas was for the first time respected by foreign powers; to collect, publish and preserve the rolls, records and historic documents relating to that period, to encourage the study of their country's history and the advancement of patriotic work in Massachusetts."

Date of Charter. 28 December, 1899.

QUINEBAUG HISTORICAL SOCIETY.

Purposes. "The purpose for which the Corporation is constituted is —

(1) To unite persons of good character, and intellectually and socially acceptable, in Southbridge, Sturbridge, Charlton, Dudley and other communities in this section, into a corporate body, to permanently maintain and advance the welfare and purpose of the Society,

(2) To promote in this locality an interest in the research into all matters and things relating to its history and people, and the collection and preservation of the results thereof, whether the same be published, printed or written productions, books, pamphlets, records, maps, manuscript, paintings, engravings, pictures, papers or relics, mementos,

[1] Many of the details of this episode were printed in McClure's Magazine for December, 1898, xii. 179–185.

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articles or objects illustrative thereof, together with the study and investigation of the kindred subjects of literature, poetry, biography, genealogy, science or art, as the society may judge useful to advance the knowledge, culture and taste of its members, and their social and intellectual characters,

(3) To raise and establish a permanent Trust Fund for investment for the use and benefit of the society until the same, with the accumulations thereof, and the additions thereto, shall be judged by the society sufficient or proper to be used for the purchase of premises devoted to the exclusive use of the society,

(4) To provide the means required to defray the necessary current and yearly prudential expenses of the society, by annual assessments not exceeding in amount the sum of One Dollar a year per capita, upon its members, and

(5) To adopt and maintain By-Laws for the membership, officers and the government of the affairs of the society, for the purpose herein stated."

Date of Charter. 29 December, 1899.

LA SOCIÉTÉ HISTORIQUE FRANCO-AMÉRICAINE.

Purposes. "To encourage the careful and systematical study of the history of the United States and especially to bring forth in its true light the exact part taken by the French race in the evolution and formation of the American people."

Date of Charter. 6 March, 1900.

JOHN SHAW BILLINGS, D.C.L., of New York City, and HORACE HOWARD FURNESS, LL.D., of Wallingford, Pennsylvania, were elected Corresponding Members.

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